

1-20  
exhibits: 1-84

Devenick Scott #131042

Plaintiff  
**FILED**  
JUN 16 2014  
JAMES W. MCCORMACK, CLERK  
By: Brown  
DEP. CLERK

v. civil action No. 5:14-CV-237

Roy Hobbs, Harris Vism, et al. Defendants  
in their individually and official capacities  
This case assigned to District Judge Wright  
and to Magistrate Judge Deere

### I. Jurisdiction & Venue

1. This is a civil action authorized by U.S.C. section 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States. The court of jurisdiction under 28 U.S.C. section 1331 and 1343 (a) (3) plaintiff relief and authorized by 28 U.S.C. section 2283, 2284 and rule 65 of the Federal Rules of civil procedure.
2. The Eastern District of Arkansas is an appropriate venue under 28 U.S.C. section 1391 (b) (2) because it is where the events given rise to this claim occurred.
3. Plaintiff Scott, is and was at all times mentioned herein a prisoner of the state of Arkansas in the custody of the Arkansas Department of Corrections. He is currently confined in Arkansas State Prison in Grady,

Arkansas.

Defendants

~~1. Arkansas Department of Corrections~~

1. Ray Hobbs. Director of ADC.
2. Larry Mac. assist director of ADC.
3. Grant Harris. assist. director of ADC.

all officers at ~~the~~ Central office p.o. box  
8707 pine bluff, Ar 71611

4. Warden Banks. Warden of Varner Supermax unit.
5. Warden Meizner. Warden of Varner Supermax unit.
6. Warden Watson. Warden of Varner Supermax unit.
7. Warden Jackson. Warden of Varner Supermax unit.
8. Capt. Mark <sup>Stephens</sup> ~~Stephens~~. Capt. of VSM unit.
9. Sgt. James Pruitt. Sergeant of VSM unit.

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10. ■ Sgt. Hyguert. Sergeant of VSM unit. (referred to as Sgt. Hewitt sometimes in grievances)
  11. ■ Stephen Watson. officer of VSM unit.
  12. ■ officer Mrs. Jefferson. officer of VSM unit.
  13. ■ Mrs. Tonya Robinson. Grievance officer of VSM unit.
  14. ■ officer Hopkins. officer of VSM unit.
  15. ■ Capt. Taylor. Captain of VSM unit
  16. officer davenport. officer of VSM unit.
- all officers at Varner unit. p.o. box 600  
Grady, Ar 71644
- 

### Legal claims

17. The herein Defendants are being sued in their official and individual Capacities for the violations of the rights of the plaintiff under 1<sup>st</sup>, 8<sup>th</sup>, 14<sup>th</sup> Amendm-ent to United States Constitution and Ark. state law, Federal law in ways in follows:

18. The actions of Warden Banks, Warden meizner, to make a VSM policy denying plaintiff scott and

19. The actions of Defendants Hobbs, Mae, Harris failure to take disciplinary or other action to curb the retaliation, harassment, and sexual harassment of inmates scott by officer watson, Sgt. Pruitt, Sgt. Hyguant, officer hopkins constituted deliberate indifference to the plaintiff's and other prisoners safety, and contributed to and proximately caused violation to inmate scott 8<sup>th</sup>, 14<sup>th</sup> Amendment of U.S.C. causing scott pain and suffering and emotional distress. also violation of 1<sup>st</sup>, 4<sup>th</sup> Amendment.

20. The actions of defendants Watson, Pruitt, Hyguant, to take inmate Scott yardcell, and write him a falsified disciplinary to cover up taking inmate Scott yardcell, ~~and~~ ~~committing prisoners' grievances~~ in retaliation

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scott utilizing prisoner's grievance system constitute violation of scott's 1<sup>st</sup> Amendment right of U.S.C. and scott is cause to suffer to his 1<sup>st</sup> Amendment right.

21. The failure of Defendants <sup>Warden</sup> Watson, Jackson, <sup>Capt. Stephens</sup> ~~admission~~ to take disciplinary or other action to curb the retaliation, harassment, and sexual harassment of inmate scott by Capt. ~~admission~~ Taylor, officer Watson, Sgt. Pruitt, Sgt. Hyguert constituted deliberate indifference to the plaintiff's and other prisoners' safety and contributed to and proximately caused violation to inmate scott 8<sup>th</sup>, 14<sup>th</sup>, 4<sup>th</sup> Amendment of U.S.C. causing scott pain and suffering and emotional distress.

22. The actions of Capt. <sup>defendant</sup> Taylor to put inmate scott on alternative meal in retaliation of him writing him up on prisoner's grievance, an abuse his authority stating it was for another incident which does not qualify a violation of AD<sup>th</sup> Alternative meal constituted a violation of scott's 1<sup>st</sup> Amendment of U.S.C. and scott is cause to suffer to his 1<sup>st</sup> Amendment right.

23. The failure to protect or intervene of defendants hopkins, Jefferson of defendant Watson, <sup>retailings</sup> harassing, inflicting corporal punishment on inmate scott caused violation to inmate scott 14<sup>th</sup> Amendment of U.S.C causing scott pain

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and suffering and emotional distress.

24. The actions of defendant Mrs. Robinson to reject and not investigate inmate Scott grievances of retaliation, and sexual harassment, so it won't make it to Warden's attention of officer Watson conduct, then the actions of defendant Mae to not properly investigate checking cameras, or O-14 polygraph test requested, the failure to correct, or take action of officer Watson retaliation once it was brought to his attention cause denial of 1<sup>st</sup>, 14<sup>th</sup> Amendment of U.S.C. The denial of due process of law cause Scott pain and suffering and emotional distress.

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### Facts.

25. The plaintiff is a inmate housed on Ad-seg since 2011 Feb. 27. He's been on Adseg, or Ad-seg punitive for over last 3 years.

26. Federal law states 24 hr lock-down is 23-1. you get 1 hr a day yardcell "exercise time" 5 hrs a week.

27. Ar. state law AD# 12-24 section A. 4. Exercise - Inmates in punitive segregation will be offered

a minimum of one hour of exercise per day outside their cells, five days per week, unless security or safety considerations dictate otherwise. (see exhibits: 21)-

28. But Warden Banks, Warden Meizner made a policy all 2012-2013 inmates in adseg wasn't allowed they 1 hr yardcall for everyday a holiday fell on a day during the week cause yardcall officers doesn't work on holidays, and Wardens made no effort to make inmates one hour yardcall up. "Every other AOC unit have regular officers work yardcall on holidays" (see exhibit: 15-17)

29. Warden Watson, Jackson became Wardens of VSM in 2013 and keep policy in place, not taking correct measures to make sure inmates recieved they 1 hr yardcall, and assist. director Grant Harris approved denying plaintiff scott appeal. (see exhibits: 16, 17)

30. Officer Watson, davenport, hopkins, Sgt. husyert became yardcall crew in 2013. While plaintiff was in 1503 2013 these officers use to buy his yardcall with ink pens, candy & etc out vending machines. but when plaintiff move to 1501 in 2013 officers stop buying his yardcall and started taking it. The plaintiff warned officers you ain't got to take my yardcall just

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ask for it, or give me a pen or something. Due to officer Watson, Hopkins, Sgt. Hygert started unprofessionalism mingling with white ~~superior~~ Aryan inmates they started acting racist, prejudice, and just taking most of black inmates yardcell letting the white inmates hold meetings on yardcell. So plaintiff Scott and other black inmates started writing it up. (see exhibits: 48-50)

31. plaintiff Scott firstly wrote defendant Watson up for taking his yardcell on 7/25/13 and 7/26/13 and a couple of more weeks before this. defendant Watson first response was: Inmates don't get up and refuse guidelines. "That's his first abuse of authority to cover up taking inmates yardcell. (see exhibits: 18-20, 21) 22-24)

32. On 7/26/13 plaintiff got on yardcell list, but when officer Watson, officer Denverport ran yardcell they took everybody in 1501 out but plaintiff Scott. They even put his neighbor in 1501-13 cell in dayroom. And went and started running 1503 yardcell. Due to this retaliation plaintiff Scott asked officer in booth to call Sergeant who refuse. So plaintiff Scott had to flood his cell to get Sergeant down there to get his yardcell. officer Watson tried to use plaintiff flooding his cell as reason for denying plaintiff Scott his yardcell, but camera's, log in books



officer watson had already retaliated on ~~the~~ plaintiff scott and took his yard call. defendant <sup>Watson</sup> Watson refuse to investigate plaintiff scott allegation on use of prisoner's grievance. he responded: According to staff, all allegations is false. Documents show you were on yard call list but you flooded your cell, and your yardcall was denied due to your behavior. (see exhibits: 25-28) (29)

defendant <sup>Stephens</sup> ~~Watson~~ Larry mae, approved and denied plaintiff's appeal taking no actions towards defendants retaliation actions. (see exhibits: 28) (29)

33. During the next two weeks ~~Watson~~ defendant watson harassment and retaliation got more provocative making inappropriate sexual gestures, sexual harassing plaintiff the days he don't take plaintiff scott yardcall cause he had officer get a supervisor to make sure he get his yardcall. officer watson started shaking him down making him squat and cough 3 and four times telling him turn around again let me see your cheeks, now let me see your dick and balls again. This action was done to humiliate plaintiff to make him decline yardcall himself. plaintiff scott asked defendants Pruitt, defendants Haysurt for phone to call hotline and they denied him phone to hotline for sexual harassment, but notified officer watson so on 8/7/13 he retaliated by taking plaintiff scott yardcall. (see exhibits: 33-39, 48-50)

~~40~~ 41-43.)

34. Defendant Watson took plaintiff Scott yardcell for at least a month abusing his authority stating he took my yardcell cause I had a sheet up in the bars. So plaintiff Scott wrote prisoner's grievance on 8/7/13 VSM13-03037 showing how this retaliation cause a officer don't have the right to take a inmate yardcell, if I did have a sheet up that's a ADC violation and I'm suppose to be written a disciplinary. (see exhibits: 33-35)

35. On 8/7/13 plaintiff Scott also wrote grievance VSM13-03138 about the sexual harassment by officer Watson which defendant Robinson abuse her authority rejecting it so it wouldn't be brought to Warden's attention and be investigated. Defendant Mae fail to take action or even investigate the sexual harassment retaliation and abuse of authority. (see exhibits: 37-39)

36. AD 2012-16 Inmate Grievance paragraph 6 states allegations of staff sexual harassment should be investigated no later than 24 hrs. (see exhibits: 10, 11)

37. On 8/5/13 officer head and Sgt. Hayscut told plaintiff personally they was taking his yardcell cause he been writing them up on inmates grievances. Directors

and warden's refuse to return grievance back to plaintiff so they won't have to take correction action towards Sgt. Huguart. (see exhibits: 40)

38. On 8/19/13 plaintiff Scott wrote grievance USM 13-032-99 on defendant Watson, Sgt. Huguart, Sgt. Pruitt constantly retaliating on him for last month and defendants Warden Watson, Capt. Stevenson refuse to properly train or supervise it's officer to stop them harassing him and taking his yardcall. And Defendant Watson did nothing to correct it's officers conduct. (see exhibits: 41-43)

39. On 8/19/13 plaintiff Scott also wrote grievance USM 13-3198 on defendant Pruitt about his unprofessionalism relationship at work with nurse grey interfering with his medical assistance. (see exhibits: 44-47)

40. On 8/19/13 plaintiff Scott also went on and wrote grievance USM 13-03434 telling the whole truth about how defendant officer Watson use to bribe him and by his yardcall for (free world pens, candy, chips, peanuts out of vending machine) but now he come to work broke instead of buying yardcall he just take it.

Defendant Tonya Robinson rejected grievance again so it wouldn't come to Warden's attention and cover it up. And once it was brought to Defendant director Larry Mac

he didn't even investigate it, or take action to correct defendant watson conduct. (see exhibits: 48-50)

41. On 8/9/13 defendant stephen watson retaliated on plaintiff scott to cover up taking his yardcell by writing a falsified behavior report. (see exhibits: 51)

42. note: every 30 mins officer who work floor make a round. notice none of these officers complain or wrote plaintiff scott grievance about having sheet in his bars. also picture suppose to be taken to show proof inmate had sheet hanging in bars.

43. Due to not being supervise on 8/21/13 defendant stephen watson, hopkins took they harassment and retaliation further by not just taking his yardcell but opening his door at least 4 times in 30 mins steady coming to plaintiff cell threaten to mace him, blow him up with bombs and defendant Jefferson refuse to call supervisors or report retaliation harassment by defendants. (see exhibits: 52-54) 55-57

44. Once it was brought to defendants Mae Harris, Jackson, Warden Watson attention they fail to take corrected action (see exhibits: 53, 54) 55-57

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45. On 8/27/13 defendant Pruitt, Watson continue to harass, and retaliate on plaintiff Scott by taking his yardcall and defendant Pruitt came back thru with nurse Gray talking about plaintiff writing them up a week before, after steady knocking on his door taunting him while he was sleep defendant Pruitt open up plaintiff door and snatch his sheet off his face while he was sleeping on the floor at the bars ~~making~~ blocking the light cause he knew officers would try to write him a disciplinary if he had it on the bars. Defendant Pruitt wrote plaintiff a falsified disciplinary stating plaintiff had sheet covering his bars blocking view. This was wrote in retaliation of grievance wrote on nurse Gray defendant Pruitt on 8/4/13.

46. Note: Camera would show officer on floor make round every 30 mins and haven't mention plaintiff allege having sheets on bars. There's no picture of sheet on bars. (see exhibits: 62-65) 66-67

47. On 8/30/13. defendant Pruitt, Watson continue to harass and retaliate on plaintiff for writing previous inmate grievances on them by taking his yardcall. They excuse that day was cause plaintiff had something in bars. plaintiff had jumpsuit in bars like suppose to, to be ready to strip and get shook down. Defendant Capt. Stephens review camera seen them take my yardcall and took no action towards defendants for they abuse of authority retaliating on plaintiff Scott. (exhibits: 69-72) (73-75)

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48. defendant Warden Watson took no corrective action towards defendants Pruitt, ~~stephens~~ officer Watson.

see exhibits:

49. On 9/6/13 defendant officer Watson continue to retaliate on plaintiff Scott by taking his yardcall then taunt plaintiff by coming to his cell door telling him: to get a grievance and write it up. (see exhibits: 76)

50. In September 2013 major Moncrele and defendant Stephens retaliated on all VSM inmates writing it up about they yardcall being taken and to cover up defendant officer Watson abusing his authority, so they made a VSM policy stating if a inmate had anything in his cell bars they isn't allow yardcall.

Note: officer's job is security of prison's and inmates so if inmate is suppose to have anything in view where they can't see inmates safety it's they job as security to come take it down. To make sure inmates security is secure. (see exhibits: 77-79, 80)

51. On 10/7/13 The defendants Capt. Taylor, officer Watson retaliate on plaintiff Scott continuing taking his yardcall stating against policy to go to yardcall if you got anything in bars, when you got to put jumpsuit in bars to be shook down. (see exhibits: 80) 77-79)

52. On 10/13/13 Lt. Taylor retaliated on plaintiff Scott for previous writings him up on a grievance and put plaintiff on 7 days of alternative meal for an incident with another officer who he allege rule violation didn't even warrant punishment of alternative meal. Then plaintiff best disciplinary. (see exhibit: 80)

53. Plaintiff still suffering is yardcell be taken. (see exhibits: 82, 83)

54. a lot of grievances officers and supervisor refuse to send back to plaintiff of appeals once he started getting around the retaliation policy they made to keep inmates from reaching supreme court. (see exhibits: 84)

### Added defendants

55. Arkansas Department of corrections.

p.o. box 8707  
pine bluff, Ar 71611

### "Legal Claim"

#### Defendant

56. The actions of the Arkansas Department of Corrections, Hobbs to make ADC AD#12-16 inmate grievance procedure in retaliation of pass inmates filing lawsuits change policy where it violate it on policy and make it where inmates can't utilize prisoners grievance system

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And exhaust all they remedies to have access to courts stating that you can only file 5 step 1 grievances a week and you can only take 3 to step 2 a week sat - Friday, and if the grievance officer don't bring response back you got 6 days from day file to take to step 2. So if you turn 5 grievances step 1 take 3 to second step Friday. you take next two to second step sat the start of new week. you write 5 ~~for~~ more grievances turn in step 1 sat of everything happen during the week you can only take 1 to second step that day. for rest of week now you got to wait till Saturday again. So out four left you got to wait till next Saturday to take 3 of them to next step but by waiting by grievance policy to take to second step you violate grievance policy also cause you pass 6 days if you hasn't got a response from grievance officer. And most grievance officer's don't bring grievances back till after 6 days it already expired. This action violated inmate Scott 1st 14th Amendment of U.S.C. causing Scott pain and suffering ~~and~~ ~~and~~ and emotional distress.

57. The actions of defendant officer Watson to take plaintiff yardcell in retaliation of plaintiff Scott writing previous grievance on him constituted a violation of Scott's 1st Amendment of U.S.C. and Scott is cause to suffer to his 1st Amendment right.



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## Relief Requested

Wherefore, plaintiff requests that court grant the following relief:

A. issue a declaratory judgment stating that:

1. The retaliation, harassment, and sexual harassment of the plaintiff by defendant officer Watson, Sgt. Pruitt, Sgt. Huggins, Davenport, Capt. Taylor, Hopkins violated the plaintiff's right under the 1<sup>st</sup>, 4<sup>th</sup>, 8<sup>th</sup>, 14<sup>th</sup> Amendment to the United States Constitution.
2. Defendant's Hobbs, Harris, Mae, Warden Watson, Warden Jackson, Capt. Stephens failure to take action to curb the retaliation, harassment of prisoners violated the plaintiff's right under the Eight, First amendment, Fourteenth Amendment to the United States Constitution.
3. Defendant Harris, Mae, Warden Watson, Warden Jackson, Capt. Stephens actions in conducting plaintiff's grievance appeal of retaliation, sexual harassment, and defendant's Harris, Warden Watson, Jackson, Capt. Stephens actions in substantiating it without investigating, just asking officer what happen and take officer word instead of evidence checking cameras, and log in books, violated the plaintiff's right of due process clause of the Fourteenth Amendment to the United States Constitution.

4. The actions of Defendants Warden Banks, Meizner, Jackson, Warden Watson in making a VSM policy where inmates isn't allowed they 5 hrs of yardall of exercise a week cause one day fall on holiday and took no action to make sure the hour miss for inmates on 23 hr and locked down violated plaintiff's right under the Eight Amendment to the United States Constitution.

B. issue an injunction ordering Defendants Hobbs, Harris, Warden Watson, Jackson or their agents to:

1. make a policy making sure inmates get their 5 hrs a week yardall exercise and if holiday fall in the week they take action to make sure that one hour made up.
2. immediately change AD\* Inmate grievance procedure policy to where inmates can take 5 grievances to second step a week so policy aint wrote to if inmates follow it they also violate same policy blocking the access to court for relief of the rights being violated of United States Constitution.
3. immediately change AD\* Inmate grievance procedure that inmates have 15 days to take retaliation, sexual harassment, physical abuse grievances to second step just like they have 15 days to <sup>write</sup> ~~submit~~ it so if they rights violated it actually get investigated. (camera's check, 0-14

test so they can take correction action to curb violations instead of rejecting them.

C. Award compensatory damages in the following amount:

1. 100,000 jointly and severally against Warden ~~Banker~~, Jackson, Warden Watson, Officer Watson, Hopkins, Davenport, Sgt. Pruitt, Sgt. Haysart, Capt. Taylor for the retaliation, harassment, sexual harassment, taking of yardcell and emotional distress, humiliation injuries sustained as result of taking of plaintiff yardcell in retaliation of him writing prisoner's grievance on them.
2. 50,000 jointly and severally against Warden Banker, Meizner, Warden Watson, Jackson for making policy taking inmates in USM yardcell for 2012-2014 not allowing them 5 hrs a week exercise and not taking steps to make sure hrs was made up causing emotional distress.
3. Warden Hobbs, Harris, Warden Watson, Warden Jackson, Mal, Capt. Stephens, ~~for~~ Robinson, Arkansas Department of Correction for the punishment, including deprivation of liberty and amenity, and emotional injury resulting from their denial of due process in connection with plaintiff's grievance proceedings.

D. Award punitive damages in the following amounts:

1. 20,000 each against defendants officer davenport, officer watson, hopkins, Sgt. Pruitt, Sgt. Huygert, Capt. Taylor.

2. 10,000 each against Arkansas Department of Corrections, Hobbs, Harris, Mae, robinson, Capt. Stephens

3. 20,000 each against Warden Watson, Warden Jackson, Warden banks, warden meizner

F. Grant such other relief as it may appear that plaintiff is entitled to.

1. Jury trial

2. court cost, lawyer fees, cost of expenses of pro se litigation and time.

6/11/14

Derrick Scott # 131642

respectfully submitted

P.O. box 600

Grady, Ar 71611

exhibit: 1



PO Box 8707  
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## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Punitive Segregation/Restriction

**NUMBER:** 12-24

**SUPERSEDES:** 10-20

**APPLICABILITY:** To all employees, especially those involved in the operation of punitive segregation; and inmates

**REFERENCE:** AR 839 - Punitive Segregation

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**APPROVED:** Original signed by Ray Hobbs

**EFFECTIVE DATE:** 08/03/2012

### **I. POLICY:**

It shall be the policy of the Department of Correction to provide safe, secure housing for inmates who require a higher degree of physical control because they have been found guilty of committing serious rule violations. Additionally, to provide for a consistent method of applying punitive restrictions to inmates who are removed from punitive segregation areas prior to the completion of the punitive segregation time imposed by the Disciplinary Hearing Officer. This policy applies only to the punitive segregation portion of a disciplinary sentence and is not meant to add to or negate any restrictions imposed by the Disciplinary Hearing Officer.

### **II. EXPLANATION:**

Any inmate who has been found guilty of violating departmental rules and regulations may be placed in punitive segregation after an impartial due process hearing pursuant to procedures in the Disciplinary Manual and shall be subject to the following restrictions and/or conditions of confinement while in punitive segregation. Punitive measures may include punitive segregation or punitive restriction.

### **III. PROCEDURES:**

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**A. Restrictions and/or Conditions of Confinement**

Any exception or deviation from this policy must be authorized by the Director.

1. **Mail** - Inmates in punitive segregation will be allowed to send and receive letters on the same basis as inmates in the general population. This will include both general and privileged correspondence.
2. **Newspapers/Magazines** - Inmates will not be able to receive newspapers or magazines in punitive segregation. During their 48-hour relief, inmates will be allowed to receive the two most current newspapers and magazines on a one-for-one exchange basis.
3. **Visitation** - Inmates in punitive segregation have opportunities for visitation unless there are substantial reasons for withholding such privileges. Visits will be conducted for two (2) hours, once a month (calendar) and scheduled at least 24 hours in advance. The Warden or designee must approve all such visits. Approval will be contingent upon but not limited to:
  - a. Nature of rule violation.
  - b. No further rule violations while housed in punitive.
  - c. Satisfactory cell inspection reports.

A legal visit may be approved in advance by the Warden/Center Supervisor. This is to be done only when the attorney can justify the urgency of the legal matter prior to the release from punitive status, then only with the consistent need for good security.

4. **Exercise** - Inmates in punitive segregation will be offered a minimum of one hour of exercise per day outside their cells, five days per week, unless security or safety considerations dictate otherwise.
  - a. The exercise periods are to be conducted outside, security and weather permitting. During inclement weather, coats and raincoats are available.
  - b. During these exercise periods, the inmate will not be afforded any recreational equipment, television, or radio.
  - c. Exercise periods should be documented. Any imposition of constraint during the exercise period will be justified and documented.

3. **Commissary** - Inmates on 48-hour relief will be allowed to purchase commissary items, authorized personal hygiene items and legal supplies listed in the Personal Property Section of this policy a minimum of once every 30 days. Purchase limit will be the same as indigent inmates. Legal supplies may be purchased more often if the inmate can document a valid need. Inmates violating any restrictions will be subject to additional disciplinary action.
6. **Mattresses** - Inmates in punitive segregation will not be allowed to have mattresses in the cells between the hours of approximately 7:00 a.m. and 7:00 p.m. daily.
7. **Shower** - Inmates in punitive segregation will be afforded the opportunity to shave and shower a minimum of three times per week. Female inmates will be afforded the opportunity to shave once a week. Exceptions are permitted when found necessary by the senior officer on duty. All exceptions will be recorded in the log and justified in writing.
8. **Law Library** - After having been in punitive segregation for twenty days, inmates may order legal materials from the law library if just cause or adequate need arises for legal material to be delivered once per week.
- EXCEPTION:** Legal materials will be made readily accessible to those inmates who need to meet statutory or court-imposed deadlines.
9. **Personal Property** - Inmates sentenced to punitive segregation are not allowed personal property; thereby, personal property will be inventoried in accordance with appropriate policy addressing inmate property control. While in punitive segregation, the inmate will be allowed to have the following items only, contingent upon good security.
- a. Legal materials/Religious text - only that amount of legal material which can be kept neat and orderly and does not clutter the cell, plus one religious text (i.e., Bible, Koran, etc.)
  - b. Soap
  - c. Dental hygiene items
  - d. Wash cloth
  - e. Self-improvement reading materials provided by Treatment Services (one)
  - f. Comb (no pick)
  - g. Deodorant

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- h. Sanitary napkins (females)
- i. Paper
- j. Flex pen
- k. Stamped envelopes/Legal envelopes
- l. Shampoo (female inmates only)
- m. Conditioner (female inmates only)
- n. Consumable items (during 48-hour relief only)
- o. Medications as authorized in paragraph #18

Toilet paper will be issued in increments by the punitive area supervisor on an as-needed basis.

10. **Telephones** -- Inmates will not be afforded telephone privileges. Inmates may make attorney calls when a need can be verified that will not wait until the conclusion of punitive confinement.

11. **Religious Services** -- Inmates in punitive segregation will not be allowed to participate in group religious activities. A religious leader approved by the Department will be available upon request for one-on-one visits, at the inmate's cell, subject to approval by the Warden. A departmental chaplain must make rounds in punitive at least once per week.

Provisions will be made for Muslim inmates to participate in the Ramadan fast.

12. **Mentioned Good Time** -- Inmates in punitive segregation will not earn good time.

13. **Work Assignment** -- Inmates in punitive segregation will not have work assignments.

14. **Library** -- Inmates in punitive segregation will not have regular library privileges.

15. **Program Activities** -- Inmates in punitive segregation will not be allowed to participate in any group program activities (i.e., Inmate Council, SATP, education, movies, etc.).

16. **Clothing** -- Inmates in punitive segregation will be provided one jump suit and appropriate undergarments at shower time. The only footwear permitted will be state issued canvas or approved medical footwear.

17. **Paper and Pen** -- Inmates in punitive segregation will be allowed to purchase flex pens and/or paper through the commissary at least once monthly or more often if a need is documented and validated. The



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Segregation Supervisor or Chief Security Officer will review all such requests.

18. **Medical** – All inmates who are segregated from the general population will be evaluated by qualified health personnel prior to placement in segregation and daily while in segregation to determine the individual's status. The pre-placement health evaluation is to ensure the inmate does not have any medical conditions contradictory to such placement, and to screen for mental health referrals. Any referrals to mental health shall be made to the mental health supervisor and/or the on-call mental health staff. The pre-placement will be documented in the inmate's health record.

Sick call will be held at least five times per week. Pill call will be held as often as is required by the medical staff. Medical services on weekends will be for emergencies only. Only medications authorized by Medical Services will be kept in a punitive cell.

19. **Food** – Food will be served in accordance with the appropriate policy addressing food services. Disposable utensils may be utilized. Meals will be served in the cells. Inmates on punitive will not be served seconds.

Alternative meal service may be provided to an inmate in segregation who uses food or food service equipment in a manner that is hazardous to self, staff, or other inmates. Alternative meal service is on an individual basis, is based on health and/or safety considerations only, meets basic nutritional requirements, and occurs with the written approval of the Warden and responsible health authority. The substitution period shall not exceed seven days, but may be resumed, as warranted, following one regular tray, absent a special treatment plan.

20. **Consecutive Sentences** – Inmates on 48-hour relief may possess only those items from the commissary, which could reasonably be consumed in 48 hours.

21. **Mental Health Counseling** – Mental health counseling may be coordinated between mental health personnel and the Warden. A departmental mental health counselor must make rounds in punitive no less than three times per week, on Monday, Wednesday, and Friday, and will ensure that all inmates reassigned from population to a lock-down status since the last round are seen. Additionally, mental health staff will see an inmate assigned to administrative segregation/punitive isolation during normal working hours before leaving the unit and assess the inmate utilizing the Segregation Review Form (MHS-

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1139.00) when notified of concerns by unit staff or medical staff. After normal working hours and on holidays or weekends, on-call mental health staff shall assess each inmate on whom notification has been received from unit staff or medical staff to determine if the inmate needs to be placed on treatment precaution status per MHS Policy 1136.00, with documentation in the electronic health record and the inmate's mental health file.

22. **Cleanliness/Grooming** - Inmates assigned to punitive segregation are expected to comply with the Department's policy concerning personal cleanliness and grooming for inmates. If an inmate's personal cleanliness and/or grooming falls below the Department's standard, the Chief of Security may order that necessary steps be taken to enforce compliance. Failure to abide by grooming standards is grounds for disciplinary action.

**B. Staff Responsibilities**

The Warden, Deputy/Assistant Warden, or Chief of Security Officer will visit punitive segregation at least once per week. In addition, the Duty Warden will visit punitive segregation each weekend. He/She will pay special attention to those inmates assigned to mental health "Treatment Precaution," i.e., Restriction Status or Restraint Status, and will follow those instructions outlined below under #5, "Special Note."

The punitive area supervisor will be responsible for assuring that:

1. Each punitive cell has lights, toilet, and lavatory in working condition. Each punitive cell shall have a bunk.
2. All inmates working in the punitive area shall be under constant staff supervision.
3. Shakedowns are conducted in accordance with the appropriate policy addressing searches. All segregation cells on punitive are searched on a non-regular basis at least three times a week and documented.
4. A log is maintained on all movement of inmates on punitive status.
5. Each cell in punitive segregation shall be checked by an officer at irregular intervals no less than every 30 minutes.

Officers will note if the inmate is complying with the Department's cleanliness and/or grooming standards. Likewise, each cell will be checked to make certain the cell is clean and sanitary. If the condition of the inmate or the cell is not in compliance with Department

**AD12-24 Punitive Segregation/Restriction**

Page 7 of 8

standards, the Chief of Security, or designee, will be notified immediately and will take necessary steps to correct the problem.

**"Special Note:"** For those inmates assigned to punitive segregation and under "Treatment Precaution," i.e., Restriction Status or Restraint Status, the punitive area supervisor will ensure staff initial in the Treatment Precaution Log indicating that the inmate and his/her cell have been checked and the inmate is in a satisfactory condition and the cell is in compliance with the Department's cleanliness and sanitation standards.

6. No administrative segregation inmates are housed in the same cells as punitive inmates. Administrative segregation inmates can be housed on the punitive wing with the written approval of the Chief of Security, but cannot be housed in the same cells as punitive inmates. In the absence of the Chief of Security, the shift supervisor may authorize such housing provided that written approval is obtained from the Chief of Security as soon as possible.

**C. Periods of Confinement**

1. Inmates may be confined to punitive segregation for a period up to 30 days.

Inmates serving consecutive punitive isolation sentences will receive 48-hour relief at the end of each 30-day sentence. Inmate privileges as previously outlined in this policy will be restored during the 48-hour relief period and will be restricted again at the beginning of the next punitive sentence. An inmate's telephone privilege will not be restored during 48-hour relief if the privilege was suspended due to a conviction of disciplinary rule violation 02-5, 09-13 or 17-3. Commissary purchases may be made by an inmate only if the inmate's 48-hour relief falls on their regularly scheduled commissary day, and will be limited to a quantity that can reasonably be consumed in 48 hours. Inmate personal property privileges as previously outlined in paragraph A (9) of this policy will remain in effect.

2. Inmates may be released from punitive segregation prior to the completion of sentence only with the authorization of the Warden or designee. This will not relieve the inmate from punitive restrictions unless specifically ordered by the Warden or designee.

**D. Punitive Restriction**

1. When an inmate is found guilty of a major infraction of institutional rules and punitive segregation time is imposed, the inmate may be

**AD12-24 Punitive Segregation Restrictions**

Page 8 of 8

placed in punitive segregation and be subject to the restrictions of that assignment or be placed on punitive restrictions.

2. Should an inmate placed in punitive segregation be removed from punitive segregation prior to the completion of the punitive segregation time imposed by the Disciplinary Hearing Officer, the inmate will be placed in housing commensurate with job assignment and will be placed on punitive restrictions until completion of the punitive sentence. (Punitive restrictions can only be imposed for the duration of the punitive segregation time imposed. Any other restrictions would have to be imposed by the Disciplinary Hearing Officer.)
3. Inmates on punitive restriction will have a work assignment and will be required to work on their assigned job. Inmates on punitive restrictions may have their privileges restored prior to the completion of their punitive sentence only with the authorization of the Warden or his designee.
4. Inmates serving consecutive punitive restrictions will receive 48-hour relief at the end of each 30-day sentence. Inmate privileges as previously outlined in this policy will be restored during the 48-hour relief period and will be restricted again at the beginning of the next punitive restriction sentence.
5. Inmates working on their assignments without additional disciplinarys will receive credit toward reclassification (promotion in class) as other inmates working on their assignments. Inmates will not receive a class upgrade while on punitive restriction status.
6. An inmate on punitive restriction who is found guilty of a major infraction of institutional rules by the Disciplinary Hearing Officer will be placed in punitive segregation for the time period required by the sanction. This time imposed is consecutive to any previously imposed punitive sentence unless otherwise ordered by the Warden, or designee.

10-20  
10July22

**AR 831 Disciplinary Rules and Regulations**

2 of 2

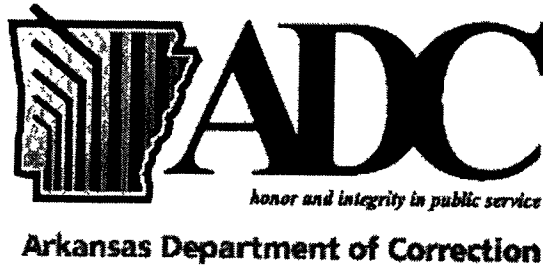
9

- G. All steps in the disciplinary process are to be properly documented. Hearings will be audiotaped, and paper and electronic records of disciplinary actions will be maintained in accordance with the Department's records retention schedule.
- H. An appeal process, as specified in the *Inmate Discipline Manual*, will allow the inmate to seek to correct errors in procedure or in findings of fact.
- I. The Administrator of Disciplinary Hearings is charged with the responsibility of training Disciplinary Hearing Officers and with monitoring adherence to procedure.

**III. STANDARDS:**

American Correctional Association; Standards for Adult Correctional Institutions,  
Third Edition, 3.3.1

AR831.doc  
020107



East Arkansas Regional Unit  
**Accreditation Office**  
P.O. Box 180  
Brickeys, Arkansas 72320

10

## **Memo**

FR: Ted Austin, ACA/Policy Coordinator  
TO: Inmate Population & Max Population  
DA: April 30, 2012  
RE: Policies Changes

\*\*\*\*\*

Below are the approved changes to the policy listed below.

Attached are the following revised or new AD(s).

**The effective date for the policy (s) listed below 05/28/2012.**

### **3. AD 2012-16 Inmate Grievances**

**Changes: page 5, paragraph (1, 2 and E)**

1. Inmates who have difficulty understanding how to complete the grievance forms or actually completing the forms should request and be provided assistance from staff. However, there is no prohibition against an inmate seeking assistance from another inmate IF the grievant has language barriers or cannot read or write.
2. Only one Unit Level Grievance Form (Attachment I) can be submitted per grievance and only one problem/issue should be stated in the grievance, not multiple problems/issues. An inmate must use a separate form for each issue. Only one issue will be addressed. Additional problems/issues contained in the grievance will not be considered as exhausted. Exhaustion of an issue is required prior to filing a lawsuit under the Prison Litigation Reform Act of 1995 on that issue.

### **E. Step One: Informal Resolution Procedure**

Inmates are required to attempt informal resolution of a problem/complaint prior to filing a grievance.

1. **The Unit Level Grievance Form (Attachment I) shall be completed and submitted within 15 days after the occurrence of the incident, with the date beside "Step 1: Informal Resolution" filled in.**
2. **On the Unit Level Grievance Form (Attachment I), only in the space provided, the inmate should write a brief statement that is specific as to the substance of the issue or complaint to include the date, place, personnel involved or witnesses, and how the policy or incident affected the inmate submitting the form.**

(11)

Additional sheets, including additional pages of the grievance written on Unit Level Grievance Forms (Attachment I) should not be attached and will be returned to the inmate upon submission or as soon as practical. ONLY THE STATEMENT IN THE SPACE PROVIDED ON ONE ATTACHMENT I WILL BE MAINTAINED AND CONSIDERED THE GRIEVANCE SUBMISSION.

**Changes: Page 6, paragraph (5 and 6)**

An emergency situation is one in which the inmate is subjected to a substantial risk of physical harm such as sexual assault, physical abuse, staff sexual misconduct, or staff sexual harassment. It should not be declared for ordinary problems that are not of a serious nature. If the inmate believes the matter to be an emergency, he/she will fill in the date beside "Emergency Grievance" on the Unit Level Grievance Form to designate an emergency, and present the form to any staff, but preferably the designated problem-solving staff. If that staff determines that an emergency situation does exist, corrective action shall be taken as soon as possible and no later than twenty-four (24) hours. If no emergency is determined, the informal resolution form shall be processed within the normal time limits stated within this policy.

Upon receipt of a Unit Level Grievance Form submitted under Step One, the HSA, or medical department representative appointed by the HSA, or the Mental Health Supervisor will take whatever action is deemed clinically appropriate to fully resolve the problem, document the action taken, or state why no action is necessary or appropriate, and the HSA or Mental Health Supervisor or designee will sign the form in the space provided for the staff signature which is found on the same line as the inmate signature following the description of the action taken to resolve the complaint. Please note the staff signature should NOT be in the space provided for the signature of the designated problem-solver.

**Changes: Page 7, paragraph (7)**

As soon as practical, the HSA, Mental Health Supervisor, or designee will return the Unit Level Grievance Form to the inmate, and provide a copy to the Grievance Officer. NOTE: In no event should this time frame exceed three (3) working days from submission of the Unit Level Grievance Form for Step One by the inmate to the problem-solver. The HSA, Mental Health Supervisor, or designee should not respond to a grievance that is alleging misconduct by that individual against the inmate; however, where the inmate still has another step in the grievance process to challenge the conduct and/or the inmate is alleging indirect misconduct (failure to act) as opposed to direct misconduct, such as physical abuse or retaliation, by the HSA or the Mental Health Supervisor, then the Regional Manager or Mental Health Administrator will respond after the medical or mental health department has appropriately logged the resolution.

**Changes: Page 11, paragraph (G1, 2 and 4)**

The appeal must be written in the space provided on the original Warden/Center Supervisor's Decision Form (Attachment III), the Health Services Response to Unit Level Grievance Form (Attachment IV) for medical or mental health grievances entitled Inmate's Appeal (see Attachment III and IV), or the Acknowledgement or Rejection of Unit Level Grievance (Attachment II). Only what is written in the space provided for appeal will be considered part of the grievance appeal. Additional sheets should not be attached and will be returned to the inmate upon receipt of the appeal or as soon as practical. ONLY THE STATEMENT IN THE SPACE PROVIDED WILL BE MAINTAINED AND CONSIDERED PART OF THE APPEAL SUBMISSION.

The inmate must include the original Unit Level Grievance Form (Attachment I), which describes the matter originally grieved, and either the Warden/Center Supervisor Decision Form (Attachment III), the Health Services Response to Unit Level Grievance (Attachment IV), or the Acknowledgement or Rejection of Unit Level Grievance (Attachment II) if the inmate is asserting the grievance was improperly rejected or if the inmate did not receive a response or extension within the timeframe. If these two (2) pages are not submitted with the inmate's appeal portion completed, the appeal may be returned to the inmate as rejected.

(12)

To complete the appeal, the inmate must state a reason for disagreeing, and must date, sign, and write the inmate's ADC number on the attachment being appealed.

Do not list additional issues, requests and/or names which were not a part of the original grievance as they will not be addressed.

**Changes: Page 12, paragraph (7, 8 and 9)**

If a grievance appealed is a duplicate of one previously appealed by the inmate with regard to the staff member named, the date of the incident, and the subject of the grievance, the inmate will be sent an Acknowledgment of Grievance Appeal/Rejection on Attachment V, and it will be noted as "Duplicate of \_\_\_\_\_" and the earlier grievance number will be filled in the blank; the duplicate will be returned to the inmate with the Attachment V.

The Grievance Extension Form will be used in cases where a longer period of time is required for a response or resolution of the problem. The inmate shall be notified by the responding authority, in writing, of the reason for the delay and its expected length on the Grievance Extension Form (see Attachment X). Time limits for responding will be extended automatically upon completion of the Grievance Extension Form (Attachment X), unless the inmate disagrees in writing to the extension. If the inmate does not agree to the extension, the inmate understands and agrees that, with that decision, no further action will be taken on the issue, and the grievance appeal will be returned to the inmate without a decision on its merit. By disagreeing with the extension, the inmate waives his or her right to have the grievance issue considered or exhausted.

The entire grievance procedure should be completed within seventy-six (76) working days unless a valid extension has been executed, or it can be documented that unforeseen circumstances have occurred.

**Changes: Page 18, paragraph (6)**

No entries concerning grievances, or an inmate's participation in a grievance proceeding through testimony or submission of evidence, shall be recorded in the inmate's paper institutional file.

CC: Mr. Danny Burl, Warden  
Mr. Todd Ball, Deputy Warden  
Mr. Dexter Payne, Deputy Warden  
File



June 23 informal resolution was so utterly false.

**FN16.** Defendant Stephenson testified that, if he had in fact cursed and threatened Plaintiff as alleged in the June 23 informal resolution, he believed Warden White would have punished him by suspending him from his job. Based on his understanding of the ADC disciplinary process for guards, Defendant Stephenson did not believe it would have resulted in his termination. Assistant Warden Manus testified that, if Defendant Stephenson had admitted to the charges contained in Plaintiff's June 23 informal resolution, he believed Warden White would have either suspended Defendant Stephenson or terminated him.

4. At 8:15 a.m. on June 27, 2007, almost immediately after Sgt. Lyons advised Defendant Stephenson that Plaintiff had filed the June 23 informal resolution, Defendant Stephenson filed a disciplinary against Plaintiff. See DX # 11. In the Notice of Charges, Defendant Stephenson makes it clear why he is filing the disciplinary:

On the above date and approximate time [06/27/2007 08:15 a.m.] I Sgt. Stephenson received an informal resolution from Inmate W. Haynes # 111110 stating that I (Sgt. Stephenson) "approached him in a threatening manner and stated I don't ever need you to ask anything or any fucking one about something concerning me. I don't need you saying any fucking thing to me or fucking about me to any SOB." I Sgt. Stephenson never said this so therefore I am charging Inmate W. Haynes with the following rules violations 12-1, 13-1.

*Id.* (emphasis added).

5. Rules 12-1 and 13-1 of the ADC "Behavior Rules and Regulations" provide the following:

(a) 12-1. Failure to obey verbal and/or written orders of staff.

(b) 13-1. Deliberately giving information or falsely accusing another in the course of an official investigation.

See DX # 15 at 7. According to Defendant Stephenson, a violation of 12-1 *automatically occurs* in every disciplinary which charges an inmate with violating another provision of the "Behavior Rules and Regulations." In other words, because Plaintiff allegedly violated Rule 13-1 (which is a written rule) by making a deliberately false allegation in his June 23 informal resolution, he also violated Rule 12-1, which prohibits an inmate from disobeying any written rule.

\*§ 6. Section J of the ADC's grievance procedure prohibits an inmate from "abusing the grievance procedure." Paragraph 4 of Section J provides the following:

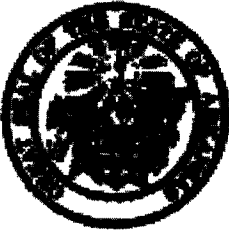
Any inmate who knowingly makes false statements to staff for the purpose of harming another person may be charged with the appropriate disciplinary offense.

See DX # 17 at 11.

7. Section K of the ADC's grievance procedure goes on to explicitly prohibit any form of "reprisal" against an inmate for exercising his right to file an informal resolution or grievance. Among other things, Section K makes it clear that ADC staff is "absolutely prohibited" from retaliating against an inmate for making appropriate use of the grievance procedure:

1. No inmate shall suffer any action or threat of action based on his or her appropriate use of or participation in the grievance procedure.... Such behavior on the part of staff is absolutely prohibited and will be dealt with in accordance with the appropriate policy regarding employee conduct and discipline.

Exhibit # 14

 <p style="text-align: center;"><b>ADMINISTRATIVE REGULATIONS</b></p> <p style="text-align: center;"><b>STATE OF ARKANSAS</b></p> <p style="text-align: center;"><b>BOARD OF CORRECTIONS</b></p>	<b>Section Number:</b>	<b>Page Number:</b>
	830	1 of 1
	<b>Board Approval Date:</b>	
	10/20/79	
	<b>Supersedes:</b>	<b>Dated:</b>
	<b>Reference:</b>	<b>Effective Date:</b>
		11/30/79
<b>SUBJECT: Corporal Punishment</b>		

**I. POLICY OF DEPARTMENT:**

The use of corporal punishment is contrary to humane standards of care and professional correctional practices and as such is absolutely prohibited by an employee of the Department of Correction.

**II. EXPLANATION:**

A. Corporal punishment is defined as the striking, pushing or shoving of an individual for the purpose of causing pain or discomfort; the improper use of chemicals in any form; violence of any nature; the use of profane or abusive language or racial slurs directed toward the inmate; or any measure which may be injurious to an individual.

B. This regulation in no way prohibits a staff member from using that force necessary to protect himself from injury; to prevent injury to other employees or inmates; or to prevent property damage or escape.

AR830

Unit/Center VSMName Deverich ScottADC# 131042 Brks # 15.4-4 cell Job Assignment \_\_\_\_\_1/1/14 (Date) STEP ONE: Informal Resolution1/7/14 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)If the issue was not resolved during Step One, state why: our right to 5 hrs. a week yardcell is not dictated by youll aint got enough officers. You suppose to have officers

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): The conduct of Warden Watson, Jackson, Banks, manner to violate Fed law by making a VSMer supermax policy that on all holidays during the week Mon-Friday makes is not allowed they 1 hour yardcell which violates Fed law up suppose to be allowed 5 hours a week. And they didnt make preparations if holiday fall during week make up that day on weekends like at brichey's unit or another day during the week. All 2013 we been doing our 1 hour sday yardcell on Jan 1 Jan 21<sup>st</sup> Feb 12, Feb 18<sup>th</sup>, May 27<sup>th</sup>, July 14<sup>th</sup>, Sept 2, Nov 11, Nov 28<sup>th</sup>, Dec 25<sup>th</sup> of 2013 and Jan 1 2014. This shows callous disregard of VSM Wardens to make a Ark. state rule i policy violating federal law. And directors Ray Hobbs, Larry Mac allowing to happen by signing off on policy. I will be asked to be compensated for my mental anguish.Deverich Scott

Inmate Signature

1/1/14

Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

## THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on \_\_\_\_\_ (date), and determined to be Step One and/or an Emergency Grievance \_\_\_\_\_ (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_

PRINT STAFF NAME (PROBLEM SOLVER) John ID Number 22558 Staff Signature John Date 1-7-14Describe action taken to resolve complaint, including dates: set team is off due to they are five day a week they are scheduled to work five working daysStaff Signature & Date Returned Deverich Scott 1/7/14 Inmate Signature & Date Received \_\_\_\_\_

This form was received on \_\_\_\_\_ (date), pursuant to Step Two. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: St. Hardy Date: 01/07/2014

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: INMATE GRIEVANCE SUPERVISOR Date: \_\_\_\_\_

ADMINISTRATIVE BUILDING

DISTRIBUTION: YELLOW &amp; PINK - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back to Inmate After Completion of Step One and Step Two.

15  
making an yardcell on holidays or you suppose to make it up that Sat. when all your officers are just sitting around or make up our 1 hr during the week which is a right.

(16)

IGTT410  
3GS

Attachment III

INMATE NAME: Scott, Deverick D.ADC #: 131042BGRIEVANCE #: VSM14-00111

## WARDEN/CENTER SUPERVISOR'S DECISION

In response to your grievance in which you stated.

"The conduct of Warden Watson, Jackson Banks, Meizner to violate fed law by making a varner supermax policy that on all holidays during the week Mon- Friday inmates is not allowed they 1 hour yard call which violates fed law we suppose to be offered 5 hours a week. And they didn't make preparations if holiday fall during week make up that day on weekends like at brickey's unit or another day during the week. All 2013 we been denied our 1 hour a day yard call on Jan 1, Jan 21th, Feb 12th, Feb 18th, May 27th, July 14th, Sept 2. Nov 28th, Dec 25th of 2013 and jan 1 2014. This show callous disregard of VSM Wardens to make a Ark State rule & policy ,violates federal law. And directors Ray Hobbs Larry Mae allowing to happen by signing off on policy. I will be asked to be compissted for my mental anguish"

Inmates will be offered a minimum of one hour of exercise per day outside their cells, five days per week, unless security or safety considerations dictate otherwise.

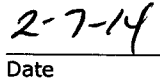
Therefore I find this issue without merit.



Signature of Warden/Supervisor or Designee



Title



Date

## INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

well tell me why it wasnt address  
us being denied yardcall every holiday "durning the week" for whole 2013  
and then after this was filed Martin Luther King Jr. holiday Monday Jan. 21 2014  
we was still denied after this warden had knowledge, but they want address  
it cause they made vsr unit policy we can't go on yardcall on holidays  
without trying to make it up



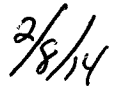
Inmate Signature

RECEIVED

FEB 20 2014

131042

ADC#



Date

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING

Page 1 of 1

17

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM14-00111

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

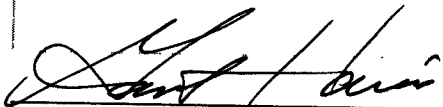
Your complaint is about not being afforded yard call on the holidays.

Based on the Warden's response in which he states in part, "Inmates will be offered a minimum of one hour of exercise per day outside their cells, five days per week, unless security or safety considerations dictate otherwise.

Therefore I find this issue without merit."

I find that I concur with the unit's response.

Appeal denied

  
\_\_\_\_\_  
Director

3-27-2014  
\_\_\_\_\_  
Date

Unit/Center *USM*

Name Derrick Smith

ADC# 137042

Brks # 150/-/4ccq.

ADC# 137042 Brks # 150/-/412 Job Assignment \_\_\_\_\_

1/25/13 (Date) STEP ONE: Informal Resolution

8/6/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: *This other still come thru ain't don't heller yadessll so well as he taking that this shows wit*

\_\_\_\_\_ (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why:

*Is this Grievance concerning Medical or Mental Health Services?*                      *If yes, circle one: medical or mental*

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): *The conduct of Sgt Bennett to allow*

involved and how you were affected. (Please Print): The Conduct of Sgt. Hewitt to allow  
officer Watson continue to take our yardcall knowing every morning he  
creep thru not putting every body on list so they can finish early. This takes  
a violation of our 14th Amendment right of U.S.C. by law we suppose to be  
attended 1hr yardcall daily. Last Weeks Sgt. Hewitt was at my cell at  
approx 5:50 so when officer Watson come thru to take yard list I said put  
me on list later that day Sgt. Hewitt said he got to believe his officer. When  
Watson told him I wasn't on list that Friday he took our yard again. Then  
today on 7/25/13 he wanted to be get thru the tier pass our calls to holder  
yardcall when he come back thru I told him I'm in cell. Later that day when  
they ran yardcall he said I wasn't on list. They not suppose to take no  
list anyway. They come take list when they no we sleep during 5:00-7:00 am  
when lights out. By policy we suppose to be sleep. So why take a list. Then if  
they do he suppose to go cell to cell and asked us knock on our door that's  
giving us the opportunity but they don't do that to best us put our yard. I  
will wish to be compensated at \$125 a day for everyday my yardcall taken  
Darick Smith 7/25/13

Inmate Signature

Date \_\_\_\_\_

**If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.**

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance \_\_\_\_\_ (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_ Date \_\_\_\_\_

PRINT STAFF NAME (PROBLEM SOLVER)

Describe action taken to resolve complaint, including dates:

Tube Format Card - Inmate Don't get up & refuse  
to follow directions

Staff Signature & Date Returned

Inmate Signature & Date Received

This form was received on \_\_\_\_\_ (date) pursuant to Step Two. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: Ricky Webb

RECEIVED: 8-7-2013

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form:

AUG 20 2013 Date:

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE** Inmate Grievance Office; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

## ADMINISTRATION BUILDING

(19)

IGTT400

3GR

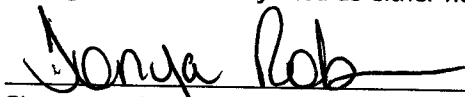
Attachment II

**ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE**TO: Inmate Scott, Deverick D.

FROM: Robinson, Tonya R

DATE: 08/08/2013ADC #: 131042BTITLE: ADC Inmate Grievance CoordGRIEVANCE #: VSM13-02972

Please be advised, I have received your Grievance dated 08/06/2013 on 08/08/2013 .  
 Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.



Signature of ADC Inmate Grievance Coord

**CHECK ONE OF THE FOLLOWING**

- ☐ This Grievance will be addressed by the Warden/Center Supervisor or designee.
- ☐ This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- ☐ This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- ☐ This Grievance has been determined to be an emergency situation, as you so indicated.

☐ This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.

☒ This Grievance was REJECTED because it was either non-grievable, untimely, was a duplicate of , or was frivolous or vexatious.

**INMATE'S APPEAL**

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

*I got grievance back on 8/1/13 you'll didn't give back*

Deverick Scott

Inmate Signature

131042

ADC #

8/9/13

Date

*In 72 hours by policy not me. This officer is taking everybody yard call so they can go home earlier. To solve this problem let officers when they pick up trays and mail take yard list when all inmates up so if they want to go to yard call they have the opportunity.*

**RECEIVED**

AUG 20 2013

INMATE GRIEVANCE SUPERVISOR  
 ADMINISTRATION BUILDING

20

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-02972

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

Inmate Scott your Grievance VSM-131042 was rejected by the Unit Warden because it was considered untimely; According to my review this was done in accordance with AD 12-16.

Appeal denied

l7m7

Director

9.25.13

Date



**UNIT LEVEL GRIEVANCE FORM (Attachment 1)**

Unit/Center VSM

Name Darwick Scott

ADC# 131042 Brks # 1521-1901 Job Assignment Unit Clerk

7/25/13 (Date) STEP ONE: Informal Resolution

(Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: \_\_\_\_\_

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

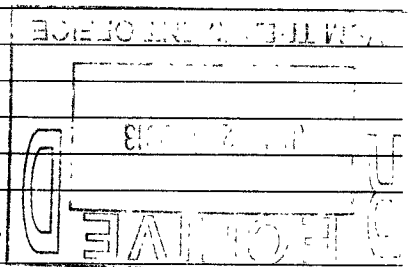
Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

On Friday 7/25/13 at the Wilson  
conduct constitutes a violation of my 14th Amendment right when he  
came to the yard list he didn't even screen yardcell just pass everybody  
cell. They only be taking the inmates they cool with to make it look like  
they screening yardcell. The sergeant behind over yardcell no this and don't  
let or make them properly run yardcell by giving us our opportunity  
if we want to go to yardcell. If they don't want to run yard they need to get  
back on shift and put somebody on it who want to run it.

Darwick Scott  
Inmate Signature

7/25/13  
Date



If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person on that department receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

W. M. H. 7/25/13 Don  
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: \_\_\_\_\_

Staff Signature & Date Returned \_\_\_\_\_ Inmate Signature & Date Received \_\_\_\_\_

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: \_\_\_\_\_ Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

**UNIT LEVEL GRIEVANCE FORM (Attachment I)**

Unit/Center VSM

Name Derek Le Scott

ADC# 131042 Brks # 1301-14101 Job Assignment \_\_\_\_\_

FOR OFFICE USE ONLY	
GRV. #	<u>VSM13-029301</u>
Date Received:	<u>8-6-13</u>
GRV. Code #	<u>S11</u>

(22)

7/25/13 (Date) STEP ONE: Informal Resolution

8/5/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

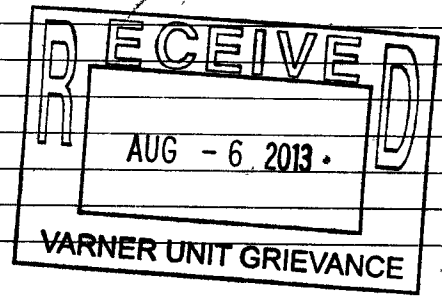
If the issue was not resolved during Step One, state why: Watson and yardcull

denying us our right by purposely maliciously taking our yardcull

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental  
BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

On Friday 7/25/13 after work  
conduct constitutes a violation of my MHA Amendment, it when he  
were take yard list he didn't even screen yardcull just pass everybody  
cell. They only be taking the money they can't wait to make it look like  
they screen yardcull. The Sergeant didn't even yardcull no this and don't  
let it make them properly in yardcull by giving us our opportunity  
if we want to go to yardcull but they don't want to run yardcull need to get  
back on shift and put somebody in it who want to run it



Derek Le Scott  
Inmate Signature

7/25/13  
Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature

7/26/13  
Date Received

Describe action taken to resolve complaint, including dates: \_\_\_\_\_

RECEIVED

SEP 16 2013

Staff Signature & Date Returned Derek Le Scott 8/5/13

This form was received on 8-5-13 (date) pursuant to Step Two. Is it an Emergency? No (Yes or No).

Staff Who Received Step Two Grievance: Sgt J. Smith Date: 8-5-13

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

(23)

IGTT410  
3GS

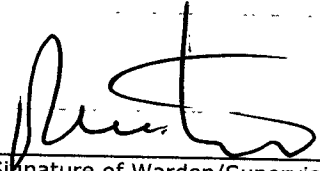
Attachment III

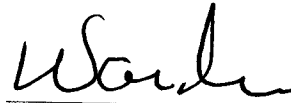
INMATE NAME: Scott, Deverick D.ADC #: 131042BGRIEVANCE #: VSM13-02930

## WARDEN/CENTER SUPERVISOR'S DECISION

In response to grievance VSM13-02930 you state, "On Friday 7/25/13 Officer Watson conduct constitutes violation of my 14th Amendment right when he came take yard list he didn't even scream yard call just pass everybody cell. They only he taking the inmates they cool with to make it look like they running yard call. The Sargent Hewitt over yard call no this and don't tell or make them properly can yard call by giving us our opportunity if we won't go to yard call if they don't want to run yard they need to get back on shift and pout somebody for it who to run it"

According to Cpl. Watson, you are making a false statement. He states that he always calls yard call and all inmates who request to be put on the list, are out on the list. According to the yard log, you did not request yard for the day of 7/25/13.  
I find no merit

  
Signature of Warden/Supervisor or Designee

  
Title

9-4-13  
Date

## INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

Ask officer's on floor he don't scream yardcall they so tired of him coming in violations starting problems now they calling Lieutenants & Sergeants on him. You'll do all this to cover up Just this month alone he got you'll at least 5 lawsuits coming from different inmates all we want is our yardcall we want our lhr we got to be stuck in these hot cells

  
Inmate Signature

131042  
ADC#

9/8/13  
Date

RECEIVED

SEP 16 2013

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-02930

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

You allege that on 7/25/13 Officer Watson didn't scream yard call. You state that he just passed everyone's cell.

Based on the Warden's response in which he states in part, "According to Cpl. Watson, you are making a false statement. He states that he always calls yard call and all inmates who request to be put on the list, are out on the list. According to the yard log, you did not request yard for the day of 7/25/13. I find no merit."

I find that I concur with the unit's response.

Appeal denied

17 M7

Director

Date

10.21.13

Unit/Center VSM

Name Darick Scott

ADC# 131042 Brks # 150 1-14 cell Job Assignment \_\_\_\_\_

7/26/13 (Date) STEP ONE: Informal Resolution

\_\_\_\_ (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: \_\_\_\_\_

\_\_\_\_ (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

On Friday 7/26/13 The officers of yard call took my laundry box off my door at cell 150 1-11th and put it on the floor in water that was flooded cause they took my yard. Officers Davenport, Watson, Stewart and let this behavior of harassment is against AD # 10-10 Employee conduct standards during time they drag yard call in. They say after I flooded they was going take me but but when they ran 150 I yard call they told me I wasn't on the list. They put my neighbor in day room so there's no excuse. This shows they malicious intent and retaliation of me previously putting them up about taking my yard call and grief nobody saying nothing to them so I'm going on hunger strike to it get investigated. I will asked to be compensated at court level \$25 a day for everyday they took my yard call and violated my 14th Amendment right of U.S.C.

Darick Scott  
Inmate Signature

7/26/13  
Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_

\_\_\_\_\_  
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: \_\_\_\_\_

Staff Signature & Date Returned

Inmate Signature & Date Received

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: \_\_\_\_\_ Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

Unit/Center VSM  
Name Darrick Scott  
ADC# 131042 Brks # 150 1-14-11 Job Assignment \_\_\_\_\_

FOR OFFICE USE ONLY  
GRV. # VSM13-02231  
Date Received: 8-6-13  
GRV. Code #: 800

7/26/13 (Date) STEP ONE: Informal Resolution  
8/5/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: Capt. Steven came and witness it he was suppose to check General  
(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental  
BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):  
On Friday 7/26/13 the officers of yard cell took my laundry bag off my door at 10:15 AM and put it in the floor in water that was flooded cause they took my yard. Officers Davenport, Watson, Stewart and etc. this behavior of harassment is against AD 10-10 Employee Conduct Standards. During time they were yard cell in. They say after I flooded they was going take me but when they ran ISO I yard cell they told me I wasn't on the list. They put my neighbor in jeopardy so there is no excuse. This shows they malicious intent and retaliation of me previously pulling them up about taking my yard cell and not nobody saying nothing to them. So I'm going on hunger strike to it get investigated. I will asked to be compensated at court level 925 a day for everyday they took my yard cell and violated my 14th Amendment right at U.S.C

Darrick Scott  
Inmate Signature  
Date 7/26/13

RECEIVED  
AUG - 6 2013  
VARNER TURNS GRIEVANCE

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY  
This form was received on \_\_\_\_\_ (date), and determined to be Step One and on \_\_\_\_\_ (date) of the person in that department receiving this form: \_\_\_\_\_ (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name \_\_\_\_\_ (Yes or No).

PRINT STAFF NAME (PROBLEM SOLVER) 7/26/13 ID Number \_\_\_\_\_ Staff Signature [Signature] Date Received 7/26/13  
Describe action taken to resolve complaint, including dates: \_\_\_\_\_ SEP 16 2013

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING  
Staff Signature & Date Returned Darrick Scott 8/5/13  
Inmate Signature & Date Received \_\_\_\_\_  
This form was received on 8-5-13 (date), pursuant to Step Two. Is it an Emergency? No (Yes or No)  
Staff Who Received Step Two Grievance: Sgt J. [Signature] Date: 8-5-13  
Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_  
If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back to Inmate After Completion of Step One and Step Two.

IGTT410  
3GS

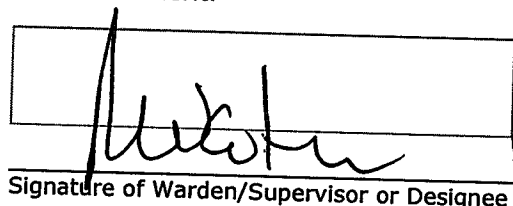
Attachment III

INMATE NAME: Scott, Deverick D.ADC #: 131042BGRIEVANCE #: VSM13-02931

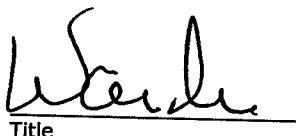
## WARDEN/CENTER SUPERVISOR'S DECISION

In response to grievance VSM13-02931 you state, " On Friday 7/26/13 the officers if yard call took my laundry bag off my door at cell iso 1-14 cell and put in the floor in water that was flooded chase they took my yard. Officer Davenport Watson Stewart and etc this behavior of harassment is against AD 00-10 Employee Conduct standards. During time they brung yard call in, They say after I flooded they was gonna take me but when they ran ISO 1 yard call they told me I wasn't on the list. they put my neighbor in dayroom so there no excuse. this shows they malicious intent and retaliation of my previously witting them up about taken my yard call and ain't nobody saying nothing to them. So I'm going on hunger strike to it get investigate. I will asked to be compiscated at court level \$125 a day for everybody they took my yard call and violated my 14th Amendment right of USC"

According to staff, all allegations are false. Documentations show you where on yard call list but you flooded your cell. You were written a disciplinary and your yard call was denied due to your behavior. I find no merit.



RECEIVED



9-4-13

SEP 16 2013

Date

## INMATE'S APPEAL

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

An investigation is not taking your office word, but looking at evidence. Look how many people all saying the something. He do it and you'll overlook it. Look at camera I didn't flood till after they took my yard call. You'll didn't address that or him throwing my laundry bag in flooded water "fees" and stamping on it. believe me. You'll start investigating once you'll start



Inmate Signature

131042

ADC#

9/8/13

Date

Wasting money on lawyer fees cause all I want is my yard call that's simple

IGTT410

28

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#:VSM13-02931

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

You state that you didn't receive yard call on 7/26/13.

Based on the Warden's response in which he states in part, "According to staff, all allegations are false. Documentations show you where on yard call list but you flooded your cell. You were written a disciplinary and your yard call was denied due to your behavior.  
I find no merit."

I find that I concur with the unit's response.

Appeal denied

17 M 7

Director

10.21.13  
Date



ISSR100

Arkansas Department of Corrections

Varner Super Max Unit

MAJOR DISCIPLINARY

If the C.S.O. determines that the violation(s) described on this document are felonious, he/she must hand carry this document to the Unit Warden who must immediately notify the Director.

Inmate: Scott, Deverick DeShane

ADCR: 131042B

Assignment: AM/PM: Adm. Seg. Punitive

Class: IV is being charged by Wells, Louise

Title: Corporal

with code violation(s):

12-1 Failure to obey verbal and/or written orders of staff

02-12 Failure to keep one's person OR quarters IN accordance with regulations

Date &amp; Time: 07/26/2013 9:15 AM

Notice of Charges:

Incident Report Unit: Varner Unit

Incident Report Date/Time: 07/26/2013/09:15:00 AM

Incident Report Number: 2013-07-317

Incident Report Comments By: Louise Wells

On July 26, 2013 at approximately 9:15 am while I COII Wells was during a security check in isolation 1 zone 1 on the high side, I noticed water coming from underneath cell 14 which houses inmate Deverick Scott #131042. I approached his cell and observed him flooding his cell by multiple flushing of his toilet. I then turn his water off from the pipe chase and then questioned inmate Scott on why he was putting water on the floor. his reply was that he was checked out of his yard call. Inmate Scott is aware of his actions. Therefore I COII L. Wells am charging inmate Deverick Scott #131042 with the following rule violations 12-1, 2-12 pending DCR.

(I affirm that the information in this report is true to the best of my knowledge)

Signature of Charging Officer

NOTIFICATION:

Officer

Date &amp; Time Notified

Witness Statements:

No ☒

If yes, list:

Inmate's Signature

C.S.O. Review:

Outcomes:

Refer to Hearing Officer/Comm.

By:

Malone, Louisette M

Date: 07/28/2013

Reviewed by:

No ☒

Yes

Has violation been completed?

Reviewed by Counsel - Substitute is required when it is determined that the inmate is illiterate or incompetent or that the issues are exceptionally complex.

Counsel Substituted:

Assigned (Name)

Not Assigned

Unit/Center VSM

Name Dennick Scott

ADC# 131042

Brks # 1501-14cm

Job Assignment LA Danny AA

FOR OFFICE USE ONLY

GRV # VSM13-0304

Date Received: 8-12-13

GRV. Code #: 800

7/28/13 (Date) STEP ONE: Informal Resolution

8/10/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: ask M. S. B. didn't she tell Sgt. Evans she was on side of violation and had knowledge. They told her false discipline.

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why:

Is this Grievance concerning Medical or Mental Health Services?        If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

On 7/28/13 the conduct of Lt. Denny constituted a violation of AD\*00-10 Employee Conduct standards to give a direct order to Sgt. Evans to give Corporal Louise Wells a direct order to fabricate a 005 report violated section 18.6. falsification of any verbal or written statements. They made officer Wells write a falsified 005 reported stated she witness me flooding my cell at 9:15 am when this officer wasn't even on the tier was off the way on the other side. She told Sgt. Evans stated its out her hands Lt. Denny a 005 report. Now this after officer pipman wrote a 005 report & disciplinary stating how yardcell officers had her open bath cut my water off and was harassing me. These supervisors Lt. Denny abuse they authority and violated AD\*225 Employee Conduct Standards. These officers given disciplinary 005 away to cover up for officers violated my 14th & 8th Amendment right of U.S.C. I request 10-14 polygraph test camera review and investigation by Internal Affairs and will be asked to be compensated at court level.

Dennick Scott

Inmate Signature

7/31/13  
Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on        (date), and determined to be Step One and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health?        (Yes or No). If yes, name of the person in that department receiving this form:       

PRINT STAFF NAME (PROBLEM SOLVER) D. Smith

ID Number 72038

Staff Signature D. Smith

AUG 12 2013

Date

Describe action taken to resolve complaint, including dates: On 8/6/13

Dennick Scott admitted he was cheated out of his 005 by Sgt. Evans. He was given a 005 for his cell. Disciplinary action was taken.

Staff Signature & Date Returned Dennick Scott 8/10/13

Inmate Signature & Date Received Dennick Scott 8/10/13

This form was received on        (date), pursuant to **Step Two**. Is it an Emergency?        (Yes or No).

Staff Who Received Step Two Grievance:       

Date: AUG 27 2013

Action Taken:        (Forwarded to Grievance Officer/Warden/Other) Date:       

If forwarded, provide name of person receiving this form:       

INMATE GRIEVANCE SUPERVISOR Date:       

ADMINISTRATION BUILDING

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**–Grievance Officer; **ORIGINAL**–Given back to Inmate After Completion of Step One and Step Two.

IGTT400  
3GR**ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE**TO: Inmate Scott, Deverick D.  
FROM: Robinson, Tonya R  
DATE: 08/13/2013ADC #: 131042B  
TITLE: ADC Inmate Grievance Coord  
GRIEVANCE #: VSM13-03047

Please be advised, I have received your Grievance dated 08/10/2013 on 08/12/2013.  
Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.

Tonya R  
Signature of ADC Inmate Grievance Coord

**CHECK ONE OF THE FOLLOWING**

- ☐ This Grievance will be addressed by the Warden/Center Supervisor or designee.
- ☐ This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- ☐ This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- ☐ This Grievance has been determined to be an emergency situation, as you so indicated.
- ☐ This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- ☒ This Grievance was REJECTED because it was either non-grievable ( ), untimely, was a duplicate of , or was frivolous or vexatious.

**INMATE'S APPEAL**

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

RECEIVED

AUG 27 2013

Deverick Scott  
Inmate Signature

131042B  
ADC #

8/15/13  
Date

The grievance policy states you can only turn 3 grievances in a week so I had to wait to that next week starting on that saturday's. Look on dates on 8/10/13 and receive 8/12/13 that's two days I turned in after I received it and they took four days past 72 hours that's on you'll not me she do this abusing her authority to cover up Lt Denny her homeboy molesting Ar 225 Employee conduct standards ~~that~~ making officer wells falsifie a document ask officer wells didn't she tell them she wasn't present had no knowledge!

32

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-03047

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

Inmate Scott your Grievance VSM-13-03047 was rejected by the unit warden because it was considered untimely: According to my review this was done in accordance with AD 12-16. I find no merit to your complaint.

Appeal denied

17M7

Director

Date

9-26-13

Unit/Center VSP1  
Name Devenck Scott Sgt Pruitt  
ADC# 131042 Brks # 1501-14cell Job Assignment \_\_\_\_\_

FOR OFFICE USE ONLY  
GRV # 18m13-03037  
Date Received 8-12-13  
GRV Code # 800

8/7/13 (Date) STEP ONE: Informal Resolution  
8/9/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: This not a Sgt. Pruitt making sexual advances he denied me the phone to call hotline an officer  
8/7/13 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: officer retaliated against me for using prisoner's grievance system and took my yardcell which is causing mental anguish

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

The conduct of Sgt. Pruitt, Sgt. Hewitt to denied me telephone an officer watson to call hot like for him playing homosexuals games with me, then to notify officer watson and allow him on 8/11/13 to retaliate on me for using the prisoner's grievance system by taking my yardcell said I had something in my bars. That shows retaliation cause if I violated any ADC policy he was suppose to write a disciplinary. I stop officer head and he said he'll get sgt. Hewitt. The officer of control booth Mrs. Jefferson will tell you he then went in pipe chase cut my water off unhook it to where it was spraying in pipechase. I called Mrs. Jefferson in control booth to witness how my sink was messed up. she allowed him to fix it but refuse to call Sgt. to notify em of this harassment & retaliation. Yardcell is a (right) not a privilege. And to prove it I will asked to be compissted at court level for officer watson callous disregard and maliciously intent, deliberate indifference to my 1st & 14th Amendment of U.S.C. All this supervisors refuse to talk to this officer and tell him to stop his illegal actions or let someone else run yardcell. I request investigation by Internal Affairs, 8-14 polygraph test, camera review  
Devenck Scott

Inmate Signature \_\_\_\_\_ Date 8/7/13

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY  
This form was received on 8-7-2013 (date), and determined to be Step One and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_

Ricky Webb 6666 Ricky Webb 8-7-2013  
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: Be advise I sgt Pruitt has Meyer have sexual advances toward the inmate all allegation is false.

W. J. 8913 Devenck Scott 8/9/13  
Staff Signature & Date Returned Inmate Signature & Date Received

This form was received on \_\_\_\_\_ (date), pursuant to Step Two. Is it an Emergency? \_\_\_\_\_ (Yes or No). Staff Who Received Step Two Grievance: \_\_\_\_\_ Date: JAN 22 2014

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_  
If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

ADMINISTRATIVE STAFF ONLY

DISTRIBUTION: YELLOW & PINK – Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back to Inmate After Completion of Step One and Step Two.

prisoner's grievance system Watson and allowed him to retaliate by taking my yard.

(34)

IGTT410  
3GS

Attachment III

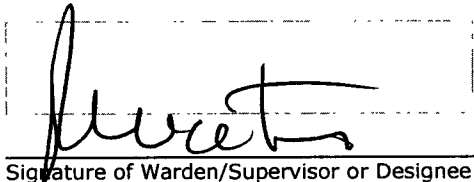
INMATE NAME: Scott, Deverick D.ADC #: 131042BGRIEVANCE #: VSM13-03037

## WARDEN/CENTER SUPERVISOR'S DECISION

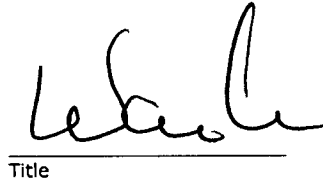
In response to your grievance: Inmate Scott, you state, "The conduct of Sgt Pruitt, Sgt Hewitt to denied me telephone on officer Watson to call hotline for him playing homosexuals games with me, then to notify officer Watson and allow him on 8/7/13 to retaliate on me for using the prisoners grievance system by taking my yard call said I had something in my bars. That shows retaliation cause of I violated my ADC policy he was suppose to write a disciplinary. I stop officer head and he said he'll get Sgt Hewitt. The officer of control booth Mrs Jefferson will tell you he then went in pipe chase cut y water off unhook it to where it was spraying in pipe chase. I called Mrs Jefferson in control booth to witness how my sink was messed up. She allowed him to fix it but refuse to call Sgt to notify em of this harassment & retaliation. Yard call is a (right) not a privileged. And to prove it I will asked to be compensated at court level for officer Watson callous disregard and maliciously intent, deliberate indifference to my 1st, 8th, 14th Amendment of USC. All this supervisor refuse to talk to this officer and tell him to stop his illegal actions or let someone else run yard call. I request investigation by Internal Affairs, 0-14 polygraph test, camera review."

You have listed multiple issues in your complaint. PER AD: 12-16 only one issue will be addressed. Officer Watson advises that he is not playing homosexual games with you nor is he retaliating against you. He advises that he did take your yard due to you had something on your bars and he wrote you a disciplinary. However, there is no disciplinary entered in eOMIS and no Recreation/Yard Log has been provided to determine whether or not you were afforded yard call. Be advised inmates will not be apprized as to corrective action involving staff.

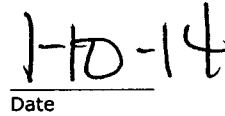
Therefore, as to the issue of not being afforded yard call, I find this issue with merit.



Signature of Warden/Supervisor or Designee



Title



Date

## INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

Every thing I want threw could of been avoided had you'll check cameras as first requested but that fall on Capt. Stevenson lying he check grievances for my grievances in July, and it also fall on Co. Jefferson for not reporting it. This ain't other incident look at grievance officer Watson pop my door 6 times in 2 hours threaten to mace and blow me up

RECEIVED

JAN 22 2014



Inmate Signature

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATIVE BUILDING

131042

ADC#

1/14/14

Date

(35)

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-03037

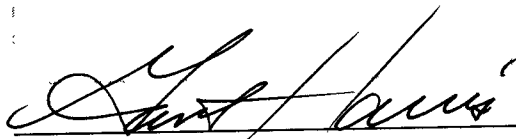
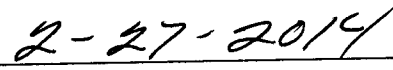
**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

You allege on 8/7/13 you were denied yard call.

Based on the Warden's response in which he states in part, "You have listed multiple issues in your complaint. PER AD: 12-16 only one issue will be addressed. Officer Watson advises that he is not playing homosexual games with you nor is he retaliating against you. He advises that he did take your yard due to you had something on your bars and he wrote you a disciplinary. However, there is no disciplinary entered in eOMIS and no Recreation/Yard Log has been provided to determine whether or not you were afforded yard call. Be advised inmates will not be apprized as to corrective action involving staff. Therefore, as to the issue of not being afforded yard call, I find this issue with merit."

I find that I concur with the unit's response.

Appeal denied

  
Director  
Date

36

**ARKANSAS DEPARTMENT OF CORRECTION  
VARNER UNIT  
INTER-OFFICE COMMUNICATION**

---

TO: Inmate Scott, Deverick ADC #131042 Max 1/0014

FROM: Sharon L. Cantrell, Program Specialist - Grievance

RE: Rejected Grievances with Appeals

DATE: October 10, 2013

---

There is no reason to forward to the Grievance Office your rejected grievances with your appeal responses from Chief Deputy Director May. If you are not understanding the issues of grievances being untimely then refer to the below synopsis of the allowable Grievance timeline/dates as stated in AD: 12-16.

PER AD: 12-16 Inmate Grievance Procedure -

- Grievance Dates
- 15 DAYS – inmate has 15 days to write Informal Step One (1) about issue/incident
- 3 DAYS – Problem Solver has 3 working days to resolve or meet with inmate about issue
- 24 HOURS – IF emergency immediately but no later than 24 hours.
- 3 DAYS – Problem Solver returns Step 1 immediately or within 3 days inmate has 3 days to proceed to Step 2
- 3 DAYS – Problem Solver fails to return Step 1 within 3 days can go to Step 2 with pink/yellow copy
- 6 DAYS – Step 2 must be filed within 6 days from submission of Step 1
- 5 DAYS – Grievance Officer has 5 days to send acknowledgement or rejection after receipt of Step 2

Also if you disagree with Chief Deputy Director May's decision, then you have exhausted your remedies in regard to your grievance(s).

Cc: File  
D. Smith



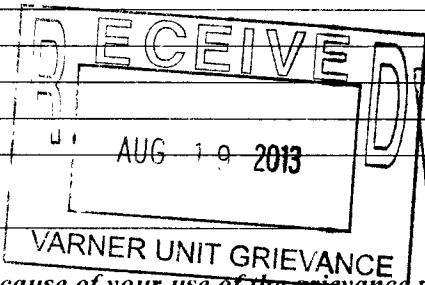
Unit/Center 15M  
Name Derrick Scott CO Watson Yard call  
ADC# 131042 Brks # 1-14 cell Job Assignment \_\_\_\_\_

FOR OFFICE USE ONLY  
GRV # 15M13-03138  
Date Received 8-19-13  
GRV. Code # 800

8/7/13 (Date) STEP ONE: Informal Resolution  
8/17/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: \_\_\_\_\_

8/7/13 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: officer waton playing homosexual games telling inmates he need to see dick and balls 3 or 4 times for shake down and kill inmates suck his dick  
Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, **date**, place, name of personnel involved and how **you** were affected. (Please Print): The conduct of officer waton tell me he need to see my dick and balls when then I squat I cough he make me do it 3 more times stressing dick & balls he is manipulating yard call to try to deter folks from going to yard call by playing homosexual games, try ing to take people matter out they wated off in pipe chase and he don't even do his job even giving us our yard call which is our right. I've been writing him up last 2 weeks and he still retaliating by constantly taking my yard call and now playing homosexual games then call me a bitch! I request 0-14 polygraph test and investigation by Internal Affairs.  
**RECEIVED**



AUG 27 2013

Derrick Scott  
Inmate Signature

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING  
Date 8/19/13

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_ Date \_\_\_\_\_

PRINT STAFF NAME (PROBLEM SOLVER) W. Smith ID Number \_\_\_\_\_ Staff Signature [Signature] Date Received 8/19/13  
Describe action taken to resolve complaint, including dates: I conduct myself professionally on all things which dealing with inmates cell inmates do all the strip searches where they go to yard I also conduct most of the cell  
inmate rotations as a part of my assigned job duties  
check that 8/17/13

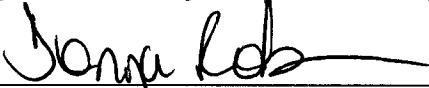
Staff Signature & Date Returned \_\_\_\_\_ Inmate Signature & Date Received \_\_\_\_\_  
This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).  
Staff Who Received Step Two Grievance: Sgt W. Connick Date: 8/19/13  
Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_  
If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

IGTT400  
3GR

Attachment II

**ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE**TO: Inmate Scott, Deverick D.  
FROM: Robinson, Tonya R  
DATE: 08/20/2013ADC #: 131042B  
TITLE: ADC Inmate Grievance Coord  
GRIEVANCE #: VSM13-03138Please be advised, I have received your Grievance dated 08/17/2013 on 08/19/2013.

Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.

  
Signature of ADC Inmate Grievance Coord**CHECK ONE OF THE FOLLOWING**

- ☐ This Grievance will be addressed by the Warden/Center Supervisor or designee.
- ☐ This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- ☐ This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- ☐ This Grievance has been determined to be an emergency situation, as you so indicated.
- ☐ This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- ☒ This Grievance was REJECTED because it was either non-grievable (untimely), was a duplicate of , or was frivolous or vexatious.

**INMATE'S APPEAL**

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

*I got this back on 8/15/13 turn it in 2 days later how is that untimely Mrs. Robinson is abusing her authority putting untimely on all grievances of mine to make it less work on her and to over up her colleagues callous*

Inmate Signature

ADC #

Date

*disregard for inmates constitution rights because she failed to file this grievance the retaliation this officer Watson is now threaten to physically harm me for in retaliation of me writing him up on previously grievance. My yard call has been took for a whole month and I be up waiting getting ready this officer abuse his authority playing homosexual games.*

RECEIVED

AUG 27 2013

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING

39

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-03138

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

Inmate Scott your Grievance VSM-13-03138 was rejected by the unit warden because it was considered untimely: According to my review this was done in accordance with AD 12-16. I find no merit to your complaint.

Appeal denied

17 mg

Director

Date

9-26-13

Unit/Center 151  
Name Devenck Scott  
ADC# 131042 Brks # 101-14 cell Job Assignment \_\_\_\_\_

GRV # \_\_\_\_\_  
Date Received: \_\_\_\_\_  
GRV. Code #: \_\_\_\_\_

8/18/13 (Date) STEP ONE: Informal Resolution  
\_\_\_\_ (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: \_\_\_\_\_

8/18/13 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: I been force to endure mental

anguish from retaliation of officers taking my yardcell  
Is this Grievance concerning Medical or Mental Health Services? yes If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): offical misconduct by omission  
in retaliation with reprisal against state of Arkansas administration  
laws Ar 835 grievance procedure and Ar 225 Employee  
conduct standards Warden Douglas Watson Major Monroe  
failure to ensure Sgt. Hewitt and officer head was properly train  
supervise and supervise to adhere to Ar 225 Rules Regulations  
procedures deliberately maliciously with malice cause me mental  
anguish by malicious on me on 8/15/13 by taking my yardcell  
in retaliation of previous grievances I filed on Sgt. Hewitt, officer  
head Watson. I request D-14 polygraph test cameras check investigation  
by Internal Affairs) at approx 1:30pm you'll see Sgt. Hewitt stand at my door  
telling me he aint got nothing for me. I cant get my yardcell when he  
seen I was up. Then and officer head told me personally it was over cause I  
had written them up. Violation of AD# 13C retaliation against employees or  
inmates who have filed lawsuits or grievances.

Devenck Scott 8/18/13  
Inmate Signature Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance  
(Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name  
of the person in that department receiving this form: \_\_\_\_\_ Date \_\_\_\_\_

Sgt M Thomas 79547 M. Thomas 20 Aug 13  
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Staff Signature & Date Returned \_\_\_\_\_ Inmate Signature & Date Received \_\_\_\_\_

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).  
Staff Who Received Step Two Grievance: \_\_\_\_\_ Date: \_\_\_\_\_  
Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_  
If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

Name Deverick Scott

ADC# 131042 Brks # 4<sup>th</sup> 1-14 cell Job Assignment

2/19/13 (Date) STEP ONE: Informal Resolution

8/23/17 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: because you'll not investigate  
is causing officers to steady harass me

1/19/13 (Date) **EMERGENCY GRIEVANCE** (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: *I've already been harass 4 times*

Is this Grievance concerning Medical or Mental Health Services? ☒ medical ☐ mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): Official misconduct by mische in

involved and how you were affected. (Please Print): Official misconduct by omission in retaliation with reprisal against state of Arkansas administrative laws

Ar 835 grievance procedure and Ar 225 Employee's conduct Warden Watson  
major Margaret Ann Stevenson Failure to insure / Sgt. Hunt Sgt. and 4 officers

major, major, Capt. Stevenson Failure to ensure Sgt. Hewitt, Sgt. Pruitt, officer  
Watson was properly brain governor and supervise to adhere to Ar. 225  
rules regarding physical condition of soldiers.

rules, regulations, procedures of adic policy and allow the conspiracy to abuse  
they authority Sgt. Pruitt, Sgt. Hewitt, officers Watson. Review came at approx.

7:35 - 830 am Monday 8/19/13 you'll see officers Sgt. Hewitt officer Watson come to my cell threaten me to work me up taunt me and take my woodruff which

actions is retaliation of me writing them up on 7/26/13 for taking my yardcall, and teaching me is homosexual now. Set up the device to catch and record all my calls.

teasing me in homosexual way, Sgt. Smith denying me phone to call hot life in it. Writing  
them up in 8/7/12, 8/15/13. they deliberately maliciously with malice cause me mental  
agony in doing so.

arguing by denying me yardcall everyday violating AD#10-20 stating yardcall is 5 days week.  
AD#00-10 section 13.C retaliation against employees or inmates who filed grievances. For them to do this

for a month straight shows supervisors is not talking to them. They so corrupt they'll tell you they took my yard cause I had a stock up. yardcell is a right not privilege. I will asked to be compensated

Perkins Smith 19/13  
Inmate Signature Date

Inmate Signature \_\_\_\_\_ Date \_\_\_\_\_

*If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.*

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance \_\_\_\_\_ (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name \_\_\_\_\_ of the person in that department receiving this form.

of the person in that department receiving this form: Sgt. M. Thomas 29547 M. Thomas Date 20 Aug 13

PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

~~Not a violation against~~ ~~the~~ ~~firm's~~ ~~will~~ ~~vio~~

15 June 2013

Staff Signature & Date Returned *DSM* 8/22/13 AUG 22 2013 *Deputy Sheriff* 8/23/13  
Inmate Signature & Date Received

This form was received on \_\_\_\_\_ (date), pursuant to \_\_\_\_\_ Date received \_\_\_\_\_  
 Staff Who Received Step Two Grievance: VARBART Date: 25 Aug 13

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

----- INMATE GRIEVANCE ADVISOR -----

DISTRIBUTION: YELLOW & PINK 1 each to \_\_\_\_\_

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

max 9/004 (42)

IGTT410  
3GS

Attachment III

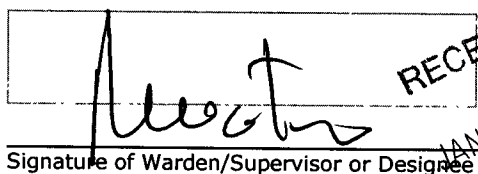
INMATE NAME: Scott, Deverick D.ADC #: 131042BGRIEVANCE #: VSM13-03299

## WARDEN/CENTER SUPERVISOR'S DECISION

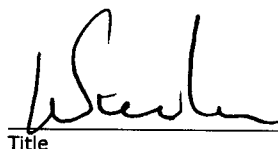
IN response to your grievance: Inmate Scott, you state, "Official misconduct by omission in retaliation with reprisal against state of Arkansas administrative laws Ar 835 grievance procedure and Ar 225 employee conduct Warden Watson Major Moncrete, Capt Stevenson failure to ensure Sgt Hewitt, Sgt Pruitt, Officer Watson was properly train governor and supervise to adhere to Ar 225 rules regulation procedure of ADC policy and allow the conspiracy to abuse they authority Sgt Pruitt, Sgt Hewitt, Officer Watson. (Review camera at approx 7:352-8:30 am Monday 8/19/13 you'll see officers Sgt Hewitt, Officer Watson come to my cell threaten me to write me up, taunt me and take my yard call which actions is retaliation of me writing them up on 7-26-13 for taking my yard call and taunting me in homosexual way, Sgt Pruitt deneing me phone to call hotline on it. Writing them up in 8-7-13, 8-15-13. They deliberate maliciously with malice cause me mental anguish by denieing me yard call everyday violating AD 10-20 stating yard call is 5 days a week. AD 00-10 section 13.c retaliation against employes or inmates who fileds grievance. For them to do this for a month straight shows supervisor is not talking to them. They so corrupting they'll tell you they took my yard cause I had a sheet up."

On 08/19/2013, you were written a disciplinary for non-compliance with orders from staff to remove your sheet from the bars in your cell. There is no evidence to support your allegation that you were taunted or threatened. There is no conspiracy; you simply need to obey the orders of staff especially when told to remove anything obstructing the view in your cell. This is a security risk and staff will not take an inmate out of their until they are able to have a clear view in the cell.

Therefore, I find this issue without merit.

  
Signature of Warden/Supervisor or Designee

RECEIVED  
JAN 07 2014  
INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION DIVISION

  
Title

12-25-13  
Date

## INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

The only problem you'll don't restly investigate our allegations, just ask officer what happen and take they word. Cause if you did review camera you'll watch this officer pass my cell up everyday. you'll review last grievances we and rest of inmates all ain't lying on this officers you'll hate to admit your officers misconduct. want no sheet hanging up on bars blocking view. And more importantly you'll view previous grievance and would know he had put on grievance week before he took my yard call cause I had a sheet on bars. And I responded. yard call is a right not a privilege. if I had a sheet on bars you

Deverick Scott

Inmate Signature

131042

ADC#

7/29/13

Date

write me a disciplinary you don't take my yard. At first he bought my yard call

With contraband out the vending machine and rest of yardcell officers, then he stop buying my yardcell and other inmates and just started taking our yardcell. Put him on 0-14 polygraph test and see if he lying. See on 8/19/13 when he started taking inmates outside did he come to my cell then. "No" But you'll see me calling all the officers I'm calling to my cell arguing about he taking my yard so if I'm at the bars arguing about my yardcell how is I'm at the bars and my view is covered up. If that's the case that would of made them come in my cell and make sure they can view me I'm not harming myself. The truth is the truth. put him on 0-14 polygraph test see if he lying. Then read following grievances and tell me why these wasn't investigated on some officer. Cause grievance officer Mrs. Robinson was covering up for him. VSM 13-02931. VSM 13-03434 You'll see what you director Larry mae been turning a blind eye to agreeing and not investigating making ADC responsible.

(43)

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-03299

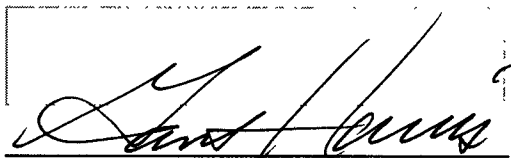
**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

You allege on 8/19/13 Sgt. Pruitt, Sgt. Hewitt and Officer Watson threatened to write you up, and took your yard call. You state that this was done out of retaliation for writing them up on 7/26/13 for taking your yard call.


Based on the Warden's response in which he states in part, "On 08/19/2013, you were written a disciplinary for non-compliance with orders from staff to remove your sheet from the bars in your cell. There is no evidence to support your allegation that you were taunted or threatened. There is no conspiracy; you simply need to obey the orders of staff especially when told to remove anything obstructing the view in your cell. This is a security risk and staff will not take an inmate out of their until they are able to have a clear view in the cell. Therefore, I find this issue without merit."

I find that I concur with the unit's response. Also, a review of security log's indicates that you are receiving yard call or afforded yard call according to policy and procedure.

Appeal denied



Director



Date



Unit/Center VSMName Devenick ScottDC# 131042Brks # 1501-1400

Job Assignment \_\_\_\_\_

GRV. # VSM-13-3198Date Received: 8/26/13GRV. Code #: 6008/19/13 (Date) STEP ONE: Informal Resolution8/23/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)If the issue was not resolved during Step One, state why: I aint happy on that8/19/13 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: Im being denied medical treatmentIs this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): The Conduct of ~~the~~ gray, (VSM nurse) and Sgt. Pruitt constitutes a violation of AD #00-10 Employee Conduct Standards, Section C, a. Employee's failure to report his/her relationship violating Nepotism policy which is punish by suspension or discharge. Nurse Gray act and violates corizon policy cause she can't even work effectively performing sickcalls cause she got to have Sgt pruit escort her, which take him away from his job duties as ~~work~~ supervisor. Then whole time she running sickcall he helping her work or stoping her from working being overly protective of his person. They discuss they outside affairs instead of being professional. There it I've been had to wait 2 weeks for a sickcall then when I did see her, she so busy worried and talking to him she forgot to order my blood pressure script checks to monitor is my new blood pressure medicine working. I request investigation by Internal Affairs.

Devenick Scott

Inmate Signature

8/19/13

Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be Step One and/or an Emergency Grievance

(Yes or No) This form was forwarded to medical or mental health? (Yes or No). If yes, name

of the person in that department receiving this form: \_\_\_\_\_

Sgt. E. Allen

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number 70851Staff Signature C. SelveyDate Received 8/23/13Describe action taken to resolve complaint, including dates: Per policy nursing is to have an escort for every nursing encounter.RECEIVED-DEPUTY DIRECTOR  
ARKANSAS DEPARTMENT  
OF CORRECTION8/23/13

Staff Signature &amp; Date Returned

Devenick Scott 8/23/13

Inmate Signature &amp; Date Received

This form was received on 8-23-13 (date), pursuant to Step Two. Is it an Emergency? \_\_\_\_\_ (Yes or No).Staff Who Received Step Two Grievance: Sgt. AllenDate: 8-23-13

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: W. K. K.Date: 8/26/13

DISTRIBUTION: YELLOW &amp; PINK – Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back to Inmate After Completion of Step One and Step Two.

INMATE NAME: Scott, Deverick D.

ADC #: 131042B

GRIEVANCE #: VSM13-03198

45

HEALTH SERVICES RESPONSE TO UNIT LEVEL GRIEVANCE

@yuh  
mex  
14

(619) Your concern: white) The conduct of Gray (VSM Nurse) and Sgt Pruitt constitutes a violation of AD 00-10 Employee Conduct Standards. Section C. A. Employee failure to report his/ her relationship violating Nepotism policy. Which is punish by suspension or discharge. Nurse Gray actions violates Corizon policy cause she can't even work effectively performing sick calls cause she got to have Sgt Pruitt escort her, which take him away from his job duties as isolation supervisor. Then whole time she running sick call he helping her work or stoping her form working being overly protective of his woman. They discuss they outside affairs instead of being professional. Here it is I've been had to wait 2 weeks for a sick call then when I did see her, she so busy worried and talking to him she forgot to order my blood pressure script checks to monitor is my new blood pressure medicine working. I request investigation by Internal Affairs.

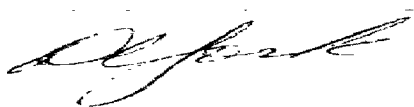
Response: Your grievance dated 8/23/13 was received on 8/26/13 and a review of your medical record was completed to determine if n=medically necessary care has been provided.

You alleged medical staff did not act professionally on an unknown date.

This issue was addressed through administration and was reviewed with alleged staff. Outcomes are considered confidential and addressed at the administrative level, as deemed necessary.

In conclusion, all staff is required to treat patients with respect and to demonstrate professionalism at all times. You have received treatment for your concerns. Your grievance is without merit.

If you r medical condition changes please address any concerns through the sick call process.



Signature of Health Services  
Administrator/Mental Health Supervisor or  
Designee

Deborah Louise York

Title

09/24/2013

Date

**INMATE'S APPEAL**

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the Deputy Director for Health & Correctional Programs along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues which were not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE RESPONSE GIVEN ABOVE?

*It do seem like she more professional*

RECEIVED-DEPUTY DIRECTOR  
ARKANSAS DEPARTMENT  
OF CORRECTION

OCT 1 2013

HEALTH & CORRECTIONAL PROGRAMS

*Devenla Scott*

Case 5:14-cv-00237-SWW-BD Document 2-1 Filed 06/16/14 Page 67 of 107

Inmate Signature

ADC#

Date

*11/25/13*  
*46*

RECEIVED-DEPUTY DIRECTOR  
ARKANSAS DEPARTMENT  
OF CORRECTION

OCT 1 2013

HEALTH & CORRECTIONAL PROGRAMS

IGTT430  
3GD

@vu

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#:VSM13-03198

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

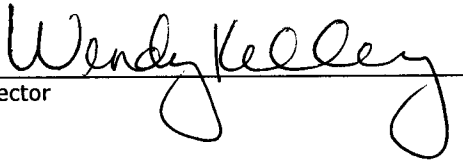
August 19, you grieved that Ms. Gray and Sgt. Pruitt were violating the employee conduct standards by having a relationship, and because of that relationship Ms. Gray was unable to perform her job duties effectively, and with Sgt. Pruitt escorting her, he could not get his work done.

The medical department responded, "You alleged medical staff did not act professionally on an unknown date. This issue was addressed through administration and was reviewed with alleged staff. Outcomes are considered confidential and addressed at the administrative level, as deemed necessary. In conclusion, all staff is required to treat patients with respect and to demonstrate professionalism at all times. You have received treatment for your concerns. Your grievance is without merit. If your medical condition changes please address any concerns through the sick call process. "

Your appeal states she does seem more professional.

Your concerns were addressed; therefore, your appeal is without merit

Director



Date

10/14/13

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

IGTT400  
3GR

Attachment II

(49)

**ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE**TO: Inmate Scott, Deverick D.  
FROM: Robinson, Tonya R  
DATE: 09/06/2013ADC #: 131042B  
TITLE: ADC Inmate Grievance Coord  
GRIEVANCE #: VSM13-03434Please be advised, I have received your Grievance dated 08/30/2013 on 09/03/2013.  
Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.**RECEIVED**

SEP 16 2013

Tonya Rob  
Signature of ADC Inmate Grievance Coord**CHECK ONE OF THE FOLLOWING**INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING

- ☐ This Grievance will be addressed by the Warden/Center Supervisor or designee.
- ☐ This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- ☐ This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- ☐ This Grievance has been determined to be an emergency situation, as you so indicated.

- ☐ This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- ☒ This Grievance was REJECTED because it was either non-grievable (untimely), was a duplicate of , or was frivolous or vexatious.

**INMATE'S APPEAL**

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

Deverick Scott  
Inmate Signature131042  
ADC #9/10/13  
Date

By policy I got right to take yellow copy to second step if officer don't return white copy. This officer bribe me; other inmates with contraband from vending machine for yardcell now he come to work with no money and been on some racism stuff just taking our yardcell coming threw not yelling yardcell so we can get on list, I put my jumpsuit in bars to get shakedown it so right by my cell don't stop say our cell not in compliance - yardcell is a right, not a privilege. he can't take our yard he so confident in abusing his authority he retaliated put it in disciplinary

IGTT400

Page 1 of 1

On Back

On 8/19/13 he took my yard cause I had steel in bars. this After I woke him up over 10 times. I done notified all supervisors, I will asked to be compensated at court level.

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-03434

50

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

Inmate Scott, your Grievance VSM-13-03434 was rejected by the unit warden because it was considered untimely; According to my review this was done in accordance with AD 12-16. I find no merit to your complaint and no further action is warranted at this time.

Appeal denied

17M7

Director

Date

10.16.13



(51)

ISSR100

**Arkansas Department of Corrections**  
**Varner Super Max Unit**  
**MAJOR DISCIPLINARY**

If the C.S.O. determines that the violation(s) described on this document are felonious; he/she must hand carry this document to the Unit Warden who must immediately notify the Director.

Inmate: Scott, Deverick Deshonne

ADC#: 131042B

Assignment: AM/PM:Adm. Seg. Punitive

Class: IV is being charged by Watson, Stephen P  
 with code violation(s):

Title: Correctional Officer

02-12 Failure to keep one's person OR quarters IN accordance with regulations  
 07-1 Unauthorized use of state property/supplies  
 12-1 Failure to obey verbal and/OR written orders of staff

Date &amp; Time: 08/19/2013 7:35 AM

**Notice of Charges:**

Incident Report Unit: Varner Unit

Incident Report Date/Time: 08/19/2013/07:35:00 AM

Incident Report Number: 2013-08-189

Incident Report Comments By: Stephen P Watson

On 8-19-13 at approximately 7:35am Col Watson was conducting yard in Isolation 1, Zone 1, when he came to Cell 14 which houses Inmate Scott, D ADC#131042 to escort him to yard, he had the bars covered with his white sheet, blocking the view of inside his cell, COI S. Watson gave Inmate, D Scott #131042 multiple direct orders to remove the sheet from the cell bars, he refused to do so, this is against ADC policy, therefore Inmate D. Scott #131042 refused yard and I COI S. Watson am writing Inmate D. Scott#131042 up for the following rule violations 2-12, 7-1, 12-1, Pending DCR

(I affirm that the information in this report is true to the best of my knowledge)

Signature of Charging Officer

**NOTIFICATION:**

Officer

Date &amp; Time Notified

Witness Statements:

No ☒

If yes, list:

Inmate's Signature

C.S.O. Review: Outcome: Refer to Hearing Officer/Comm.

By: Moncrief, Tim W

Date 08/21/2013

Extension:

No ☒

Yes

Has extension form been completed?

Presentation by Counsel - Substitute is required when it is determined that the inmate is illiterate or incompetent or that the issues are extraordinarily complex.

Counsel Substitute: Assigned (Name)

Not Assigned

Name Devenck Scott Watson (Yard)  
ADC# 131042 Brks # 1501-1411 Job Assignment

FOR OFFICE USE ONLY  
GRV # VSM13-03414  
Date Received: 9-3-13  
GRV Code #: 800

8/21/13 (Date) STEP ONE: Informal Resolution

8/30/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: to properly investigate review concern and asked him why he and hopkins come open my door 8 times in 2 hrs.

8/21/13 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: This is has went pass the limit of retaliation to actually abuse his authority threaten my life

Is this Grievance concerning Medical or Mental Health Services?        If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

For the last month I've been writing this officer watson up for retaliating against me taking my yardcall and supervisors for failing to supervise this officer conduct. Warden Watson, Jackson, Major Monette, Capt. Stevenson in retaliation with reprisal by official misconduct with prejudice and discrimination by the United States Constitution purposely maliciously with malice retaliated on me for previously writing him up on 8/21/13 at approx 9:20 am. This officer tried to sneak by my cell but I was up I said officer watson I won't my yard. Then and officer hopkins come back to my cell I'm standing at bars, watson state that's it. He so get key to my cell come pop my door threaten to mace me, blow me up with a grenade he leave come back 3 mins later and say shake down (Not yard) this how he abuse his authority. Only thing he suppose to be worried about is yardcall but he so count up in yard say me they take my yardcall again. This shows the retaliation I request investigation by internal affairs O-M polygraph test, cameras check I will asked to be compensated at court level.

Devenck Scott

Inmate Signature

8/21/13  
Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on        (date), and determined to be **Step One** and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health?        (Yes or No). If yes, name of the person in that department receiving this form:        Date:       

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature

Date

Describe action taken to resolve complaint, including dates:

This is a false statement all solution conduct my self professionally around staff and inmates at all times this grievance is a retaliation for a disciplinary find of sentence

Staff Signature & Date Returned

Inmate Signature & Date Received

This form was received on        (date)

Is it an Emergency?        (Yes or No).

Staff Who Received Step Two Grievance:       

Date:       

Action Taken:        (Forwarded to Grievance Officer/Warden/Other) Date: 8/13/2014

If forwarded, provide name of person receiving this form:       

Date:       

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

max 4/004

IGTT410  
3GS

Attachment III

53

INMATE NAME: Scott, Deverick D.ADC #: 131042BGRIEVANCE #: VSM13-03414

## WARDEN/CENTER SUPERVISOR'S DECISION

In response to your grievance: Inmate Scott, you state, "For the last month I've been writing this Officer Watson up for retaliating against me taking my yard call, and supervisors for failing to supervise this officer conduct, Warden Watson, Jackson, Major retaliating, Capt Stevenson in retaliation with reprisal by Official misconduct with predjudice and discrimination by the United States constitution purposely maliciously with malice retaliated on me for previously writing him up on 8/21/13 at approx 9:20 am This officer tried to sneak by my cell but I was up I said Officer Watson I won't my yard. Him and Officer Hopkins come back to my cell in standing at bars Watson state that I. He go get key to my cell come pop my door threaten to mace me, blow me up with a grenade he leave come back 3 mins later and say shake down (not yard) this how he abuse his authority. Only thing he suppose to be worried about is yard call but he so caught up in investigation by Internal Affairs 0-14 polygraph test, cameras check I will asked to be compisated at court level."

Staff advises that on 08/21/2013, you refused to remove a state sheet from your cell bars and when they came back to your cell, you refused to be shaken-down. Records show that you did not receive a disciplinary for your non-compliance. However, during yard call for 08/21/2013, inmates were brought in early and the rest of the yard call was canceled due to heavy rain and lightening.

Therefore, I find this issue without merit.

  
Signature of Warden/Supervisor or Designee

  
Title

2-1-14  
Date  
RECEIVED

FEB 13 2014

## INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

The conduct of Warden Jackson to <sup>not</sup> review camera and check this officer come in my cell and threaten and harass me, it's known this officer make up excuses of why he take our yardcall. records won't indicate the time they can so I yardcall they brought them in early so no reason they took my yardcall or harass me but he was doing that 2 months straight before that and you'll not investigating my allegations what gave him the impression he could get away with it. This officer physically threaten me put him 0-14 polygraph test to see if I'm lying or he is

  
Inmate Signature

131042  
ADC#

2/5/14  
Date

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#:VSM13-03414

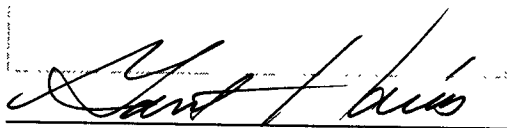
**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

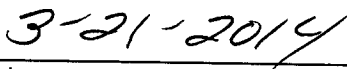
You allege that you are being harassed by security staff.

Based on the Warden's response in which he states in part, "Officer Jefferson advises that she has not witnessed Officer Watson harass nor threaten you. Officer Watson denies threatening to "write you up"; threaten to harm you nor harass you. Records show that you received a disciplinary on 08/19/2013 from Officer Watson. However, be advised disciplinary matters are non-grievable as you can utilize the appeal process for disciplinaries.  
Therefore, I find no merit."

I find that I concur with the unit's response.

Appeal denied

  
Director

  
Date

Unit/Center VSMName Deatrice ScottADC# 13042 Brks # 1501-1111 Job Assignment \_\_\_\_\_

FOR OFFICE USE ONLY

GRV # VSM13-03459Date Received: 9-3-13GRV. Code #: 8004/21/13 (Date) STEP ONE: Informal Resolution8/20/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)If the issue was not resolved during Step One, state why: This officer failing to notifyher supervisor of action actions now he do it every time she on8/24/13 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: review former OIT polygraph test this officerWatson upon my door over 6 times within 2 hours threaten to physically harm me on 8/21/13

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how **you** were affected. (Please Print): The conduct of officer Jacksonconstitutes a violation of AD 005 report by for last month she witness  
officer Jackson harass me, retaliate against me take my yardstick and  
refuse to write 005 report and notify her supervisor then today on  
8/21/13 at approx. 10:30am I called her to my cell to give me my laundry  
bag and tell Sgt. Pruitt I had a emergency grievance officer Jackson was threatening  
me physically harm and harassing me and when she leave my cell officer  
Watson come back to my cell give me my laundry bag and threaten to blow  
me up cause he claim I had a sheet of bars, but she just left my  
cell and I don't have a sheet up. This is at least 30 min after I had to  
stop officer Frank disciplinary officer ask him to notify supervisor this  
officer Watson steal, harassing me and threaten me The last incident she  
let officer Watson spin pipe base abuse his authority cut my water off  
and I want even threaten I request investigation by Internal Affairs - OIT polygraph  
test of this conspiracy. I will ask to be compensated at court level  
request continue checkDeatrice Scott

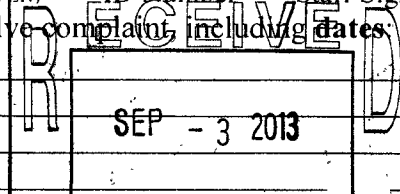
Inmate Signature

Date

**If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.****THIS SECTION TO BE FILLED OUT BY STAFF ONLY**This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance \_\_\_\_\_ (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_ Date \_\_\_\_\_

PRINT STAFF NAME (PROBLEM SOLVER) \_\_\_\_\_ ID Number \_\_\_\_\_ Staff Signature \_\_\_\_\_

Describe action taken to resolve complaint, including dates: \_\_\_\_\_



RECEIVED

FEB 13 2014

INMATE GRIEVANCE SUPERVISOR

Staff Signature &amp; Date Returned \_\_\_\_\_

Inmate Signature &amp; Date Received \_\_\_\_\_

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: \_\_\_\_\_ Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

max 4/004

IGTT410  
3GS

Attachment III

56

INMATE NAME: Scott, Deverick D.ADC #: 131042BGRIEVANCE #: VSM13-03452

## WARDEN/CENTER SUPERVISOR'S DECISION

In response to grievance VSM13-03452 you state, "The conduct of office Jefferson constitutes a violation of AD #005 report by four last month she witness officer Watson harass me retailate against me take my yardcall and refuse to write 005 report and notify her supervisor then today on 8/21/13 at approx 13:30 am i called her to my cell to give me my laundry bag and tell Sgt. Pruitt I had a emergency grievance officer watson just threaten me physically harm and harassing me and when she leave my cell officer watson come back to my cell give me my laundry bag and threaten to blow me up cause he claims "I had a sheet on bars, but she just left my cell and I ain't have no sheet up. This is at least 30 min. after I had to stop officer Frank disciplinary officers ask him ito notify supervisors this officer watson steady harassing me and threaten me The lost incident she let officer watson go in pipe chase abuse his authority cut my water off and I aint even flooded! i request investigation by Internal Affairs 0-14 polygraph test of this conspiracy. I will asked to be compisated at court level request camera check"

Officer Jefferson advises that she has not witnessed Officer Watson harass nor threaten you. Officer Watson denies threatening to "write you up"; threaten to harm you nor harass you. Records show that you received a disciplinary on 08/19/2013 from Officer Watson. However, be advised disciplinary matters are non-grievable as you can utilize the appeal process for disciplinaries.

Therefore, I find no merit.

*Wishwolsky*  
Signature of Warden/Supervisor or Designee

*Thal*  
Title

*2-1-14*  
Date

## INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

*Camera review on 8/21/13 not 8/19/13 will show this officer open my door 6 times in 2 hours, officer Jefferson with him sometime. I never had a sheet up Mrs. Jefferson can tell you that. But violation of Ar# 225 Employee Conduct Standards section 18.6 falsification of report or written records of this statement cause she had knowledge, seen officer Watson, threaten and harass me is reason this officer Watson was steadying harassing me! Warden Jackson conduct to not review camera and properly train or supervise this officer conduct condons it*

*Deverick Scott*  
Inmate Signature

*131042*  
ADC#

*7/5/14*  
Date

RECEIVED

FEB 18 2014

INMATE GRIEVANCE  
ADMINISTRATIVE

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-03452

57

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

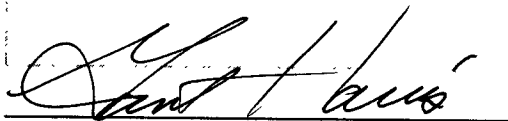
You allege that you are being harassed by security staff.

Based on the Warden's response in which he states in part, "Officer Jefferson advises that she has not witnessed Officer Watson harass nor threaten you. Officer Watson denies threatening to "write you up"; threaten to harm you nor harass you. Records show that you received a disciplinary on 08/19/2013 from Officer Watson. However, be advised disciplinary matters are non-grievable as you can utilize the appeal process for disciplinaries.

Therefore, I find no merit."

I find that I concur with the unit's response.

Appeal denied

  
Director

3-21-2014  
Date

**UNIT LEVEL GRIEVANCE FORM (Attachment I)**Unit/Center VSName Devenick ScottADC# 131642Brks # 1501-1414Job Assignment MS Robinson (Grievance)8/21/13 (Date) STEP ONE: Informal Resolution

(Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why:

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why:

Is this Grievance concerning Medical or Mental Health Services?       

If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

The official misconduct by omission in retaliation with reprisal against state of Arkansas administrative laws Ar 835 grievance procedure and Ar 225 Employees conduct Mrs. Tanya Robinson grievance officer abusing her authority apart of conspiracy of APC employees violating my 1st and 14th Amendment of U.S.C. for last month she been rejecting my grievances saying untimely when grievance policy states I can only write 5 grievances a week and the 3 grievances once I exceed my limit I got to wait to the new week which start on that sat. Then officer don't bring me my grievances back to a week later so once I abide by policy wait to next week it's 3 or 4 days after I receive my response. This shows how APC purposely made this policy to marginalize and stop investing officers for violating APC 100-10 Employee Conduct standards by harassing inmates, retaliating on them for writing grievance, playing harassment games, bribing inmates, giving inmates contraband. Somebody need to talk to Mrs. Robinson cause by her feeling to process my paperwork where it can be address makes her reliable also and will be a defector now in my lawsuit VS13-03139, VS13-03140

Devenick Scott 8/21/13

Inmate Signature

Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**This form was received on        (date), and determined to be **Step One** and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health?        (Yes or No). If yes, name

of the person in that department receiving this form:

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature

Date Received

Describe action taken to resolve complaint, including dates:

process according to AD 12-16 All grievances are per Mrs Robinson

Staff Signature &amp; Date Returned

Inmate Signature &amp; Date Received

This form was received on        (date), pursuant to **Step Two**. Is it an Emergency?        (Yes or No).

Staff Who Received Step Two Grievance:

Date:

Action Taken:

(Forwarded to Grievance Officer/Warden/Other) Date:

If forwarded, provide name of person receiving this form:

Date:

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.



9/21/13 (Date) STEP ONE: Informal Resolution  
9/12/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: This officer watch another  
officer harass me; retaliate against me and didn't report it.  
8/21/13 (Date) EMERGENCY GRIEVANCE (An emergency situation in which you may be subject to  
a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious  
nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the  
attached emergency receipt. If an Emergency, state why: review camera, 0-14 polygraph test this officer  
Watson open my door over 6 times within 2 hours threaten to physically harm me on 8/21/13  
Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel  
involved and how **you** were affected. (Please Print): The conduct of officer Jefferson  
constitutes a violation of AD# 005 report by for last month she witness  
officer Watson harass me, retaliate against me take my yard call and  
refuse to write 005 report and notify her supervisors then today on  
8/21/13, at approx. 10:30am I called her to my cell to give me my laundry  
bag and tell 3rd shift I had a emergency grievance officer Watson just threaten  
me physically harm and harassing me and when she leave my cell officer  
Watson come back to my cell give me my laundry bag and threaten to blow  
me up cause he "claim" I had a steel rod bars, but she just left my  
cell and I didn't have no shed up. This is at least 30 min after I had to  
stop officer Frank disciplinary officer ask him to notify supervisors this  
officer Watson steady harassing me and threaten me. The last incident she  
let officer Watson go in pipe chase abuse his authority cut my water off  
and I didn't even flood. I request investigation by Internal Affairs - 0-14 polygraph  
test of this conspiracy. I will asked to be represented at court level  
request camera check  
Dereck Scott 8/21/13  
Inmate Signature Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance  
(Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name  
of the person in that department receiving this form: \_\_\_\_\_ Date \_\_\_\_\_

PRINT STAFF NAME (PROBLEM SOLVER) John Smith ID Number 1000000000 Staff Signature [Signature] Date Received 9/16/13  
Describe action taken to resolve complaint, including dates: for several weeks  
**RECEIVED** SEP 16 2013

Staff Signature & Date Returned John Smith 9/9/13 Inmate Signature & Date Received Dereck Scott 9/12/13

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).  
Staff Who Received Step Two Grievance: Sgt Higgins Date: 9-14-13  
Action Taken: SEP 24 2013 (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_  
If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_  
INMATE GRIEVANCE SUPERVISOR

**DISTRIBUTION: YELLOW & PINK** - Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back  
to Inmate After Completion of Step One and Step Two.

9:00am - 10:00am harassing me and  
threaten to harm me for writing him up  
Don't retaliate or come back for writing him up

IGTT400  
3GR

Attachment II

**ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE**TO: Inmate Scott, Deverick D.  
FROM: Robinson, Tonya R  
DATE: 09/18/2013ADC #: 131042B  
TITLE: ADC Inmate Grievance Coord  
GRIEVANCE #: VSM13-03627Please be advised, I have received your Grievance dated 09/12/2013 on 09/16/2013.Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious. **RECEIVED**  
Signature of ADC Inmate Grievance Coord

SEP 24 2013

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING**CHECK ONE OF THE FOLLOWING**

- ☐ This Grievance will be addressed by the Warden/Center Supervisor or designee.
- ☐ This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- ☐ This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- ☐ This Grievance has been determined to be an emergency situation, as you so indicated.

- ☐ This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- ☒ This Grievance was REJECTED because it was either non-grievable ( ), untimely, was a duplicate of , or was frivolous or vexatious.

**INMATE'S APPEAL**

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

*a week to second step. ADC policy states you can only take 3 grievance's so I got to wait till next saturday. Mrs. Robinson*

*Deverick Scott*  
Inmate Signature*131042*  
ADC #*9/19/13*  
Date

*is abusing her authority rejecting grievances trying to cover up corruption of Varner unit officers look how long it took to return grievance to me. over 10 days and she file untimely cause I turned in next week This system is made to overlook violation of ADC policy cause this officer threaten to physically harm me and Mrs. Robinson trying to make you'll turn a blind eye. All I want is this investigation cause do to you'll investigating this officer; now he done physically assaulted another inmate in full handcuffs; shackles and slam him on his head and you'll letting him get away with. (He stated he was the prentery Zimmerman. The white man who killed that lil boy in Florida.) His actions is on the verge of starting a riot!!!*

IGTT400

Page 1 of 1

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-03627

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

Inmate Scott your Grievance VSM-13-03627 was rejected by the Unit Warden because it was considered untimely; According to my review this was done in accordance with AD-12-16. I find no merit to your complaint.

Appeal denied

17M7

Director

Date

10.31.13

Unit/Center VSM

Name Derrick Scott Sgt Pruitt

ADC# 131042 Brks # 150 H410 Job Assignment \_\_\_\_\_

FOR OFFICE USE ONLY	
GRV #	<u>VSM13-031025</u>
Date Received	<u>9-16-13</u>
GRV Code #	<u>800</u>

8/28/13 (Date) STEP ONE: Informal Resolution

9/12/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: all you got to do is wait camera's cause I no ant being.

\_\_\_\_\_ (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

On 8/27/13 at approx 7:40 am the conduct of Sgt. Pruitt officer Watson violated my 1st amendment right by retaliating on me for utilizing the previous grievance system I wrote these officers up over 10 times in last month and none of them been investigated making supervisor Warden Watson Warden Jackson, Major Murrell, Capt. Stevenson concern in these officers racism, harassment, retaliation. I request video cameras on 8/27/13 begin books nurse Gray come in 1501. During this time her and Sgt. Pruitt talk about grievance I wrote on then on 8/19/13 violating Art 225 restriction policy. In retaliation Sgt. Pruitt steady stalking by my cell tapping on window harassing me. You'll notice on camera aint no other officer stop by my door. Sgt. Pruitt leave come back five minutes later with officer Watson. I sleep right up on bars so sheet covering my head leaning on bars they come take my sheet trying to provoke me I no its retaliation cause my sheet aint hanging on bars aint blocking no view, but 3 p.m. officer Watson come to my 15 cell tell him take his sheet down now his blocking they view. They didn't take his sheet who actually had it hanging. I request 2-14 polygraph test investigation by Internal Affairs camera check  
Derrick Scott 8/28/13

Inmate Signature

Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**

This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance \_\_\_\_\_ (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature

Date Received

Describe action taken to resolve complaint, including dates:

Pruitt violate the inmate's rights  
At No Time did Sgt

Staff Signature & Date Returned

Inmate Signature & Date Received

This form was received on \_\_\_\_\_ (date) pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: Sgt Higgins Date: 9-17-13

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**–Grievance Officer; **ORIGINAL**–Given back to Inmate After Completion of Step One and Step Two.

IGTT400  
3GR

Attachment II

## ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE

TO: Inmate Scott, Deverick D.  
FROM: Robinson, Tonya R  
DATE: 09/18/2013

ADC #: 131042B  
TITLE: ADC Inmate Grievance Coord  
GRIEVANCE #: VSM13-03625

Please be advised, I have received your Grievance dated 09/12/2013 on 09/16/2013.  
Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.

RECEIVED

*Tony R*

Signature of ADC Inmate Grievance Coord

SEP 24 2013

### CHECK ONE OF THE FOLLOWING

INMATE GRIEVANCE SUPERVISOR

ADMINISTRATION BUILDING

- ☐ This Grievance will be addressed by the Warden/Center Supervisor or designee.
- ☐ This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- ☐ This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- ☐ This Grievance has been determined to be an emergency situation, as you so indicated.

This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.

☐ This Grievance was REJECTED because it was either non-grievable ( ), untimely, was a duplicate of , or was frivolous or vexatious.

### INMATE'S APPEAL

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

*I receive grievance back on 9/10/13 took to second step on 9/14/13 how is that untimely when ADC policy say I can only turn 3 grievances*

*Deverick Scott*

*131042*

*9/19/13*

Inmate Signature

ADC #

Date

*to second step a week. I have to wait to next week. What Mrs. Robinson is doing. All grievances on this officer she file untimely cause this problem to be over look at Warden level. now this officer assaulted my homeboy said he was peristery Zimmerman the white dude who kill that lil black kid in Florida. Then he balled up my homeboy picture of his brother who just got shot and killed by police in Little Rock. All this could been avoided if you'll been investigated but Mrs. Robinson abusing her authority trying to cover up officers violate his Ar#225 Employee Conduct Standards This need to be investigate before you'll have more lawsuits on. I request investigation by Internal Affairs, O-H polygraph test, camera check!*

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IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-03625

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

Inmate Scott your Grievance VSM-13-03625 was rejected by the Unit Warden because it was considered untimely; According to my review this was done in accordance with AD-12-16. I find no merit to your complaint.

Appeal denied

17 M 7

Director

Date

10.31.13

max 107/14 (65)

ISSR100

**Arkansas Department of Corrections**  
**Varner Super Max Unit**  
**MAJOR DISCIPLINARY**

If the C.S.O. determines that the violation(s) described on this document are felonious; he/she must hand carry this document to the Unit Warden who must immediately notify the Director.

Inmate: Scott, Deverick Deshonne

ADC#: 131042B

Assignment: AM/PM:Adm. Seg. Punitive

Class: IV is being charged by Pruitt, James E  
 with code violation(s):

Title: Correctional Sergeant

12-1 Failure to obey verbal and/OR written orders of staff

Date &amp; Time: 08/27/2013 10:00 AM

**Notice of Charges:**

Incident Report Unit: Varner Unit  
 Incident Report Date/Time: 08/27/2013/10:00:00 AM  
 Incident Report Number: 2013-08-272  
 Incident Report Comments By: James E Pruitt

On August 27, 2013 at approx 10:00am, I Sgt J Pruitt was conducting a security round in Isolation 1 when I observed a state issued sheet hanging from the bars in cell 14, which souly houses Inmate Deverick Scott adc# 131042 (Zone 1, ISO 1, Cell 14, Class 4, Ad Seg Punitive) making it impossible to clearly see inside his cell. I then confiscated the sheet from the cell. I have counseled with inmate Scott multiple times about having things hanging from the bars inside his cell and due to safety and security reasons, he should not do it again. Inmate Scott is well aware that he is in violation of the rules and regulations of being housed in Isolation. For the above stated facts, I Sgt J. Pruitt am charging Inmate Deverick Scott adc# 131042 with rule violation 12-1 pending DCR. A confiscation form was completed. End of Statement.

(I affirm that the information in this report is true to the best of my knowledge)

Signature of Charging Officer

NOTIFICATION:

Officer

Date &amp; Time Notified

Witness Statements:

No ☒

If yes, list:

Inmate's Signature

C.S.O. Review: Outcome: Refer to Hearing Officer/Comm.

By: Malone, Lasaundra M

Date 08/29/2013

Extension:

No ☒

Yes

Has extension form been completed?

Presentation by Counsel - Substitute is required when it is determined that the inmate is illiterate or incompetent or that the issues are extraordinarily complex.

Counsel-Substitute: Assigned (Name)

Not Assigned

F-831-4

ARKANSAS DEPARTMENT OF CORRECTION  
Unit  
MAJOR DISCIPLINARY APPEAL FORM

AR 831

PUNITIVE  
ISOLATION  
MARK AN "X"

Inmate Deverick Scott ADC # 131042 Date 8/27/13  
Concerning Disciplinary Given on (date) 8/27/13 by (officer) Pruitt, James

APPEAL TO WARDEN: (to be completed by inmate)

State reasons why conviction or punishment should be reversed or modified: this is a falsified statement in retaliation of me writing grievances on him on 8/7/13, 8/20/13 you can look him and other officer Watson ain't wrote me up to I write them up they say they council with me numerous times but not unto I wrote them up did they write me up. Look on last grievance I wrote on this officer 2 days before this  
On Back ->

Inmate's Signature: Deverick Scott

RESPONSE FROM WARDEN: (due within ten (10) calendar days of receipt of appeal if punitive)  
Affirm: ☒ Reverse: ☐ Modify: ☐  
Reasons Action Taken: ✓

I have received your disciplinary appeal on 09/09/2013 for your disciplinary dated 08/27/2013, issued by Sgt. J. Pruitt at approx, 10:00 AM for the charges of 12-1 Failure to Obey Order of Staff

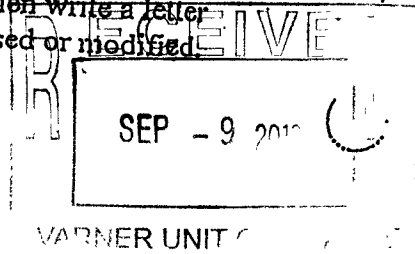
This appeal should be AFFIRMED due to the fact that you have not submitted any new evidence and Staff's report is accepted.

I FIND NO REASON TO MODIFY OR REVERSE THE PUNISHMENT. IF YOU DISAGREE WITH MY DECISION, YOU MAY APPEAL TO MR. RAYMOND NAYLOR, HEARING OFFICER ADMINISTRATOR, AT CENTRAL OFFICE.

Sc: 08/27/2013 10:00 AM

Signature: [Signature] Date 9/16/13

NOTICE TO INMATE: If you do not agree with the warden's response, you may appeal it to the Hearing Officer Administrator. If you do not agree with the Hearing Officer Administrator's response, then you may appeal it to the Director. If you decide to appeal, then write a letter repeating your reasons why your conviction or punishment should be reversed or modified.





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SR101

## Arkansas Department of Correction

## DISCIPLINARY HEARING ACTION

Inmate: Scott, Deverick Deshonnee

ADC#: 131042B

Unit: Varner Unit

## Code Violation(s):

12-1 Failure to obey verbal and/OR written orders of staff

Date/Time of Alleged Offense(s): 08/27/2013 10:00 AM

Hearing Date: 09/04/2013

Time: Start 11:13 AM

End 11:16 AM

Recorder: Waddle, Keith L

Tape#:

Side:

Meter: From

To

Plea: Not Guilty

Attendance Waived: No

Has waiver form been completed? \_\_\_\_\_

## Inmate's Statement:

This officer is retaliating because of a grievance. I did not have a sheet hanging in my cell.

Signature of Inmate

## Court Questions:

Do you have a statement?

## Sentencing Conditions:

Verdict: Guilty

Punitive Isolation Days to Serve:

15

Days Suspended:

0

GT Class Reduced to:

IV

Class Suspended:

68

Disciplinary Hearing Action

/04/2013 11:17 AM

Page 2

Inmate: Scott, Deverick Deshonee

ADC#: 131042B

Unit: Varner Unit

**Additional Sanctions/General Comments:****Actual Basis for Decision (This is a short synopsis of the facts as the Hearing Officer perceives them after reviewing all of the evidence.):**

Inmate disobeyed an order.

**Evidence Relied Upon:**

Inmate states on the am of 8-27-13, Scott disobeyed an order given by staff not to hang items in his cell that restricts staffs view.

**Reasons Why Information Purporting to Exonerate Inmate was Discounted:**

Inmate's report is accepted.

**Reasons for Assessment of Punishment:**

Inmate is class IV and must obey all orders.

I have read this report and understand that I may appeal to the Warden about any decision made in this matter within fifteen (15) working days by completing the "Disciplinary Appeal" form.

Inmate's Signature \_\_\_\_\_ Counsel-Substitute \_\_\_\_\_

I affirm that the information is true to the best of my knowledge.

Hearing Officer \_\_\_\_\_ Date \_\_\_\_\_

Unit/Center VSM  
Name Devenck Scott Yvonne Watson  
ADC# 131042 Brks # 10/4 Job Assignment \_\_\_\_\_

FOR OFFICE USE ONLY  
GRV # VSM13-03525  
Date Received 9-11-13  
GRV Code # SII

8/30/13 (Date) STEP ONE: Informal Resolution  
9/10/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: \_\_\_\_\_

\_\_\_\_ (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental  
**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

The conduct of Sgt. Pruitt and officer Watson contravention of retaliating on me taking my yardcall and writing falsified statements violates the AD# 285 Employee Conduct Standards. I request investigation by Internal Affairs. Cameras check 0-14 polygraph test. I heard them coming, threw my yardcall set up at approx 8:40am put my jumpsuit in bags & to be shocked down while I was washing my face. Officer Watson walked by my cell I told him I wanted my yardcall. Sgt. Pruitt walked up to my cell I told him to stop harassing me. And he lied on me. He stated he can write me up for jumpsuit in bags. I told him that for my yardcall he stated I am not going. This is abuse of authority these officers have been doing over a month. I done wrote over 10 grievances on these officers. The failure to investigate my allegations by Supervisors Warden Jackson, Major Monroe, Capt. Stevenson shows these officers play hardball it which makes them steady do it. request camera review 8/30/13 0-14 polygraph test investigation by Internal Affairs

Devenck Scott  
Inmate Signature \_\_\_\_\_ Date 8/30/13

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**  
This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance \_\_\_\_\_ (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_ Date \_\_\_\_\_

Sgt. Higgins 74365 Sgt. Higgins  
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received 9-11-13

Describe action taken to resolve complaint, including dates: This is a false statement, I as S. Watson conduct myself professionally around staff and inmates at all times, inmate D. Scott was out of compliance with ADC policy and refused to comply. END OF STATEMENT.

Devenck Scott 9/10/13  
Staff Signature & Date Returned \_\_\_\_\_ Inmate Signature & Date Received \_\_\_\_\_

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).  
Staff Who Received Step Two Grievance: SEP 12 2013 Date: \_\_\_\_\_  
Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: OCT 22 2013

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_  
VARNER UNIT GRIEVANCE INMATE GRIEVANCE SUPERVISOR

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given Back to Inmate After Completion of Step One and Step Two.

(70)

IGTT410  
3GS

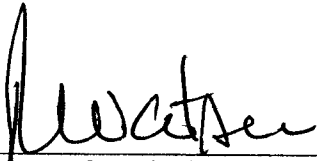
Attachment III

INMATE NAME: Scott, Deverick D.ADC #: 131042BGRIEVANCE #: VSM13-03525

## WARDEN/CENTER SUPERVISOR'S DECISION

In response to grievance VSM13-03525 you state, "the conduct of Sgt Pruitt an officer Watson contraction of retaliation on me taking my yard call and writing falsified statements violates the AR 225 Employee Conduct Standards. I request investigation by Internal Affairs cameras check 0-14 polygraph test) I heard them coming threw for yard call so I got up at approx 8:40 am put my jumpsuit in bars (to be shakedown) while I washing my face. Officer Watson walked by my cell I told him I wonted my yard call. Sgt Pruitt walked up to my cell I told him to stop harassing me. He stated he can write me up for jumpsuit in bars. I told him that for my yard call he stated I ain't going. This is abuse of authority these officers have being doing over a month. I don wrote over 10 grievance on these officers. The failure to investigate my allegation by supervisor Warden Watson, Jackson, Major Moncrete, Capt Stevenson shows these officer they condom it which makes them steady do it request camera review 8/30/13 0-14 polygraph test"

Be advised, this issue has been addressed in grievance VSM13-03525. Cpl. Watson states that you were not in compliance with the rules and regulations so therefore your yard call was refused. Video footage was viewed by Capt. Stephens and no supporting evidence was found. Refer to grievance VSM13-03526 for video footage. I find no merit.



Signature of Warden/Supervisor or Designee



Title

10-8-13


Date

## INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

*Please tell me how I was out of compliance. The camera will show not one of these officers open the door to give me opportunity to go to yard which is my constitution right. And for supervisors not correct this officer conduct makes them responsible as well. But I no the oversight and covering up that's going on. Larry mae you check cameras yourself cause all they do is take the officer word*



Inmate Signature

RECEIVED 131042

OCT 22 2013

ADC#

10/10/13

Date

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

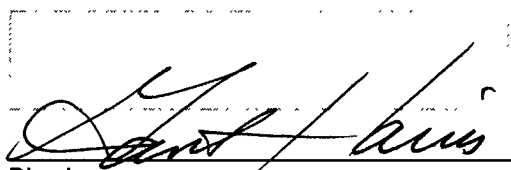
GRIEVANCE#: VSM13-03525

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

You state that you were denied yard on 8/30/13.

According to my review staff should have wrote you a major disciplinary for not following the rules and regulations. However, you allege that you were denied yard, therefore I am forwarding a copy to the Unit Warden to look into this situation and advise his staff of this situation to ensure that policy and procedure are being followed.

Appeal denied

  
Director

1-2-2014  
Date

Unit/Center VSMName Dwende ScottADC# 131642 Brks # 1561-14cell Job Assignment \_\_\_\_\_8/30/13 (Date) STEP ONE: Informal Resolution

(Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: He is a racist(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: Officer Watson racism goes on everydayhe take white boys to yardcall and let em trade books when they quit on list but take  
Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, Circle one: medical or mental**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): On 8/30/13 the abuse of authorityby officer Watson at approx 8:40 am review camera he took everybody  
yardcall in iso 1. For last month I been writing grievances about this  
officer abusing his authority to no prevail. There's no policy that after you  
take yardcall list in morning you come take another list that's what this  
officer do before he run yardcall to take our yardcall. His supervisor set he with  
knows this and steady allow him to take yardcall list and beat us out of  
yardcall is what makes this officer thinks his actions is okay for the violation  
of Art 1020 further segregation Art 225 Employee Conduct standards. I will ask  
to be compensated Das everyday my yardcall has been taken. This officer takes  
our yardcall so he won't have to run 24s for iso 1-iso 3 then he can go  
home early or sit in control book with Sgt. Huggins and not work. This  
racism goes on everyday. Asst J who ran yardcall with him on 8/24/13 he put  
white boys on list go outside who wasn't on it let them trade and trade but take us  
black inmates yardcall everyday. He strip search all black inmates and tear our  
cell up shaking down but don't do it to white inmates if he did how can they trade books.  
Dwende Scott  
8/30/13

Inmate Signature

Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance  
(Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name  
of the person in that department receiving this form: \_\_\_\_\_ Date \_\_\_\_\_PRINT STAFF NAME (PROBLEM SOLVER) Sgt Huggins ID Number 74365 Staff Signature Sgt Huggins Date Received 9-4-13

Describe action taken to resolve complaint, including dates: \_\_\_\_\_

Staff Signature &amp; Date Returned \_\_\_\_\_

Inmate Signature &amp; Date Received \_\_\_\_\_

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: \_\_\_\_\_ Date: \_\_\_\_\_

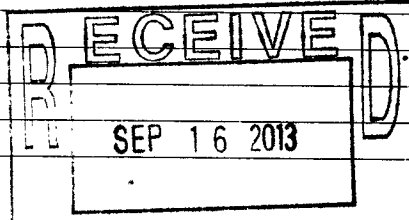
Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back  
to Inmate After Completion of Step One and Step Two.72  
as black inmates yardcall 3 times  
out the week.

Unit/Center 1501Name Deverich ScottADC# 131042 Brks # 1501-11/11/13 Job Assignment \_\_\_\_\_8/28/13 (Date) STEP ONE: Informal Resolution9/8/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)If the issue was not resolved during Step One, state why: After Sgt Pruitt he still is inmate medical business not letting Mr. Gray do his work

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: Medical or mental**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): By you'll not investigating my last grievanceon nurse Gray and Sgt. Pruitt on stability review came nurse Gray while at my neighbor cell doing sick call refuse to see other in matter in my side in 1501 cause Sgt. Pruitt was with her and she didn't want to walk by my cell with Sgt. Pruitt cause they no I go they violating Ar# 225 Employee Conduct standards (Incapacitation policy) Now I think this why I been denied my medical treatment for last 2 weeks. I request 0-14 polygraph test and investigation by Internal Affairs and then she had Sgt. Pruitt to retaliate on me for writing them up by writing me a falsified disciplinary on 8/27/13Deverich Scott

Inmate Signature

VARNER UNIT GRIEVANCE

8/30/13

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance (Yes or No) This form was forwarded to medical or mental health? (Yes or No). If yes, nameof the person in that department receiving this form: Sgt Haggins 14365 Sgt Haggins 9-8-13

PRINT STATE NAME (PROBLEM SOLVER)

ID Number

Staff Signature

Date

Date Received

Describe action taken to resolve complaint, including dates: The matter has been investigated.RECEIVED-DEPUTY DIRECTOR  
ARKANSAS DEPARTMENT  
OF CORRECTIONC. Haggins 9/9/13

Staff Signature &amp; Date Returned

2013

Dark Scott 9/8/13

Inmate Signature &amp; Date Received

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? (Yes or No).Staff Who Received Step Two Grievance: Sgt Haggins Date: 9-14-13Action Taken: (Forwarded to Grievance Officer/Warden/Other) Date: 9-18-13If forwarded, provide name of person receiving this form: Ally Haggins Date: 9-18-13**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

(74)

IGTT400  
3GR

Attachment II

**ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE**TO: Inmate Scott, Deverick D.  
FROM: Cantrell, Sharon L  
DATE: 09/18/2013ADC #: 131042B  
TITLE: ADC/DCC Program Specialist  
GRIEVANCE #: VSM13-03642

Please be advised, I have received your Grievance dated 09/09/2013 on 09/18/2013.  
Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.

\_\_\_\_\_  
Signature of ADC/DCC Program Specialist**CHECK ONE OF THE FOLLOWING**

- ☐ This Grievance will be addressed by the Warden/Center Supervisor or designee.
- ☐ This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- ☐ This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- ☐ This Grievance has been determined to be an emergency situation, as you so indicated.

- ☐ This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- ☒ This Grievance was REJECTED because it was either non-grievable ( ), untimely, was a duplicate of , or was frivolous or vexatious.

**INMATE'S APPEAL**

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

*How is it untimely when I got back on 9/9/13 turned in grievance 9/14/13 these grievance officer is abusing authority to cover up for these officer's*

Deverick Scott  
Inmate Signature131042  
ADC #9/20/13  
Date

*violating ADC policy. The main problems nurse's can't do they job they be flinching with officers*

RECEIVED-DEPUTY DIRECTOR  
ARKANSAS DEPARTMENT  
OF CORRECTION

OCT 1 2013

HEALTH &amp; CORRECTIONAL PROGRAMS



IGTT430  
3GD

@vu

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-03642

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

August 28, you grieved that Nurse Gray and Sgt. Pruitt are violating the nepotism policy which has resulted in you being denied medical care for the last two weeks. On August 27 they wrote a false disciplinary on you, and she refused to come to you cell on August 29.

Your grievance was rejected at the unit level due to being untimely.

Your appeal states that you did not receive the informal back until August 9. Additionally you claim the grievance officer is abusing authority to cover up for these officers violating ADC policy and the main problem is the nurse can't do her job due to flirting with officers.

According to the grievance policy, if you do not get a response to Step One within the three business days, you can proceed to Step Two but you only have three additional working days; you dated your grievance, Step One, August 28 and 30, so you could have proceeded to Step Two by September 10 (6 working days from August 30) without a response. You received a response from medical on September 9 and proceeded to Step Two at that time; however, the grievance officer rejected your Step Two because it was not received by staff until September 14 (and was received in the grievance office September 18).

AD 12-16 provides: If the designated problem-solver (or substituted person to resolve the issue such as a medical or mental health staff member) has failed to contact the inmate and attempt resolution of the complaint or failed to return Step One (the grievance) within the designated three working days, the inmate may proceed to Step 2, the formal grievance, without the completion of Step 1. In that instance, Step 2, the formal grievance, must be filed no later than six (6) working days from the submission of the Unit Level Grievance Form pursuant to Step 1: this allows three (3) working days to wait for a response to Step 1, and three (3) working days to initiate Step 2. (These are not three (3) additional days, i.e., if the problem-solver returns Step One on the day it was submitted, the inmate has only three (3) working days from receipt of that response to file Step Two.) The inmate will submit a copy of his Unit Level Grievance Form using the pink copy he retained following the instructions for Step Two.

Your grievance was rejected because you did not follow policy. You should submit your grievance on the date you indicate rather than dating the body of your grievance August 30, but indicating you submitted Step One on August 28 (and giving it to the Sergeant September 4).

Your appeal is without merit.

Director

Date

Unit/Center 15MName Devond Scott  
ADC# 131042 Brks # 1501-14 Job Assignment \_\_\_\_\_

GRV # \_\_\_\_\_

Date Received \_\_\_\_\_

GRV Code #: \_\_\_\_\_

9/10/13 (Date) STEP ONE: Informal Resolution

(Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: \_\_\_\_\_

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental  
**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): On 9/10/13 official misconduct byomission in retaliation with reprisal against state of Arkansas administration  
Laws Ar 835 grievance procedure and Ar 225 Employee conduct standards Under  
officer Watson major morale failure to ensure officer Watson was properly  
train governor and suppose to adhere to Ar 225 Rules regulations "defuse"  
by retaliating on me by taking my yardcall today on 9/10/13 then you can  
review cameras he came to me telling me to get a grievance  
and write it up This shows how these officers take this grievance system  
as a joke but you can overlook this officer abuse of authority which  
can't corrected at supervisor level make you'll accountable also Cause it  
quit no way in court of law a Co. I can justify breaking U.S. constitution  
laws. Yardcall is a right not privilege it don't matter if something in bars, or  
cell out of compliance you don't take yardcall a inmate who has been in Ark. for  
over 5 years promising to get 1 hr yardcall for mental relief. I will asked to be  
compensated (for everyday) my yardcall has been takenDevond Scott  
Inmate Signature9/10/13  
DateIf you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance  
(Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name  
of the person in that department receiving this form: \_\_\_\_\_ Date \_\_\_\_\_Print Staff Name (Problem Solver) 7232 Staff Signature 4/11/13  
Date Received

Describe action taken to resolve complaint, including dates: \_\_\_\_\_

Staff Signature &amp; Date Returned \_\_\_\_\_ Inmate Signature &amp; Date Received \_\_\_\_\_

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: \_\_\_\_\_ Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

Forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

**TRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back  
inmate After Completion of Step One and Step Two.

## UNIT LEVEL GRIEVANCE FORM (Attachment 1)

Unit/Center VSMName Devenick ScottADC# 131042Brks # 1501-14 cell Job Assignment

GRV. #

Date Received:

GRV. Code #:

FOR OFFICE USE ONLY

VSM13-04181

10-18-13

800

(Date) STEP ONE: Informal Resolution

(Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why:

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why:

Is this Grievance concerning Medical or Mental Health Services?        If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

On 10/7/13 the conduct of Lt. Taylor constitutes a violation of my 14th Amendment right and violation of A225 Employee conduct standards. To sit by and watch officer Watson retaliate on me for utilizing prisoner's grievance by taking my yardcell. Lt. Taylor watch Watson by pass my cell and didn't stop and give me opportunity to go to yard didn't even ask me once I was already on list. I say Lt. Taylor you see he didn't even come to our cell Watson whisper in Lt. Taylor ear. Lt. Taylor state its assist policy I had my pursuit in back I got to get shook down and stop so yeah its in back waiting. Every body no we got to be strip search we gonna take everything out but he use that as a excuse. Don't even open our doors and say one word to us. These illegal actions is a constitution violation and I will asked to be compensated at court level. I request 7-14 polygraph test, cameras check.

Devenick Scott

Inmate Signature

10/7/13

Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

## THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on        (date), and determined to be Step One and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health?        (Yes or No). If yes, name of the person in that department receiving this form:        Date       

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature

Date Received

Describe action taken to resolve complaint, including dates:

Did 7 Lt Taylor take this inmate yard.

Staff Signature &amp; Date Returned

Inmate Signature &amp; Date Received

This form was received on 10/7/13 (date), pursuant to Step Two. Is it an Emergency? No (Yes or No).

Staff Who Received Step Two Grievance:

Date:

Action Taken:        (Forwarded to Grievance Officer/Warden/Other) Date: 10/27/13If forwarded, provide name of person receiving this form:       Date:       

DISTRIBUTION: YELLOW & PINK – Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back to Inmate After Completion of Step One and Step Two.

Mx/0014

(78)

IGTT400  
3GR

Attachment II

**ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE**TO: Inmate Scott, Deverick D.  
FROM: Robinson, Tonya R  
DATE: 10/24/2013ADC #: 131042B  
TITLE: ADC Inmate Grievance Coord  
GRIEVANCE #: VSM13-04181

Please be advised, I have received your Grievance dated 10/17/2013 on 10/18/2013.  
Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.

Signature of ADC Inmate Grievance Coord

**CHECK ONE OF THE FOLLOWING**

- ☐ This Grievance will be addressed by the Warden/Center Supervisor or designee.
- ☐ This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- ☐ This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- ☐ This Grievance has been determined to be an emergency situation, as you so indicated.
- ☐ This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- ☒ This Grievance was REJECTED because it was either non-grievable ( ), untimely, was a duplicate of , or was frivolous or vexatious.

**INMATE'S APPEAL**

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

Deverick Scott

Inmate Signature

131042

ADC #

10/25/13

Date

To make a policy to reject my grievance I turn in one day after the grievance was brought back to me and my problem not be address is violation of my 1<sup>st</sup> Amendment right prisoner's grievance system free access to court and I will asked to be compensated at court level

79

IGTT430  
3GD

Attachment VI

INMATE NAME: Scott, Deverick D.

ADC #: 131042

GRIEVANCE#: VSM13-04181

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

Inmate Scott your Grievance VSM-13-04181 was rejected by the unit warden because it was considered untimely. According to my review this was done in accordance with AD 12-16.

Appeal denied

17M7

Director

Date

12.10.13

Unit/Center VSMName Deverick ScottADC# 131042 Brks # 150 1-14 Job Assignment \_\_\_\_\_10/7/13 (Date) STEP ONE: Informal Resolution(Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: \_\_\_\_\_

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental  
**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): On 10/7/13 office of misconduct byomission in retaliation with reprisal against state of Arkansas administration  
lays. Ar 835 grievance procedure and Ar 225 Employee conduct standards Warden  
Watson, Jackson, major concrete to correct and make a Kemer unit yardcall  
policy in retaliation to cover up for officer Watson taking inmates yardcall that  
wrote previous grievances in July, August now make policy for officers to take our  
yardcall without giving us the opportunity to so if they got a seat or paper bars and  
wrote a disciplinary to cover officer Watson head and hoppers illegal  
actions. The Sergeant's print isolation sergeant and Sgt. Hewitt yardcall sergeant condone  
it by turning a blind eye steady show him to take and run yardcall. stating  
guilt: I got to ride with the blue. This show these corrupted officers mind frame  
of racism and prejudice of illegal actions to turn they lit group into a gang.  
Grievance officer Tonya Robinson played apart by confirming and rejecting all grievance  
so this wouldn't make new Warden Jackson attention. I request investigation by  
internal affairs, camera check, OIA polygraph testDeverick Scott

Inmate Signature

10/7/13

Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance  
(Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name  
of the person in that department receiving this form: \_\_\_\_\_W Smith

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number 72032Staff Signature W Smith

Date

10/8/13

Date Received

Describe action taken to resolve complaint, including dates: \_\_\_\_\_

Staff Signature &amp; Date Returned \_\_\_\_\_

Inmate Signature &amp; Date Received \_\_\_\_\_

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: \_\_\_\_\_ Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

Unit/Center 15MName Devon ScottADC# 131042 Brks # \_\_\_\_\_ Job Assignment \_\_\_\_\_10/23/13 (Date) STEP ONE: Informal Resolution(Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: \_\_\_\_\_10/23/13 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental

**BRIEFLY** state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): The conduct of Major Moncrete, Lt Taylor,Sgt. Bailey constitutes a violation of my 1st, 8th, 14th Amendment rights of USMC by abusing their authority in retaliation of me writing them up on 10/8/13. So on 10/13/13 to retaliate violate the AD# 06-23 alternative meal policy and put me on their retaliation evil motions when I haven't done anything that cause that subject of punishment. I beat the disciplinary rule violations I was allege of doing in a due process hearing. So the false imprisonment the punishment I endure of 5 days alternative meal I will asked to be compensated at court level I request investigations of abuse of authority by Internal Affairs camera's check, O-10 polygraph test, log in booksDevon Scott

Inmate Signature

10/23/13

Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**This form was received on \_\_\_\_\_ (date), and determined to be **Step One** and/or an Emergency Grievance \_\_\_\_\_ (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_ Date \_\_\_\_\_Sgt J. Pruitt 86281 Sgt J. Pruitt  
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates \_\_\_\_\_

Staff Signature &amp; Date Returned \_\_\_\_\_

Inmate Signature &amp; Date Received \_\_\_\_\_

This form was received on \_\_\_\_\_ (date), pursuant to **Step Two**. Is it an Emergency? \_\_\_\_\_ (Yes or No).

Staff Who Received Step Two Grievance: \_\_\_\_\_ Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_ (Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_ Date: \_\_\_\_\_

**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Give to Inmate After Completion of Step One and Step Two.

Unit/Center VSMName Deverick ScottADC# 131042Brks # 4004

Job Assignment \_\_\_\_\_

FOR OFFICE USE ONLY

GRV # VSM14-1293Date Received: 04-04-14GRV. Code #: 5113/28/14 (Date) STEP ONE: Informal Resolution4/3/14 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)If the issue was not resolved during Step One, state why: He gave them an extra hr that Saturday to ones who went out but didn't offer the ones yardcell.

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: \_\_\_\_\_

Is this Grievance concerning Medical or Mental Health Services? \_\_\_\_\_ If yes, circle one: medical or mental  
BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):The conduct of Lt. Bakers to take our yardcell on Friday 3/21/14, Sunday 3/23/14 and on Weds. and Thursday I asked him what's up with our yardcell he said he running classification. This conduct violates our 1st 14th An amendment rights. The Federal law is mandated that inmates on 23hr 1 a day is mandatory to get 5 hours a week yardcell. He refuse to make up my yardcell. But every since they took our yardcell on Weds. Thursday and run Friday Sat. Sun. The shifts been taking our yardcell and not making it up. I will asked to be compensated \$125.00 each day my yardcell was taken. I tried to work with him and told him just get me extra pay at lunch. He refuse that to compensate for the suffering I endure to my first amendment rights of U.S.C.

Inmate Signature \_\_\_\_\_

If you are harmed/threatened because of your grievance process, report it immediately to the Warden or designee.

## THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on \_\_\_\_\_ (date), and determined to be Step One and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? \_\_\_\_\_ (Yes or No). If yes, name of the person in that department receiving this form: \_\_\_\_\_

PRINT STAFF NAME (PROBLEM SOLVER) AnnID Number 1037Staff Signature AnnDate 4-7-14Date Received 4-7-14Describe action taken to resolve complaint, including dates: Inmates who is being housed in Isolation 4 were given their extra hour for that Friday. I have no idea about why Inmate Scott did not get his yard. End of statementStaff Signature & Date Returned Ann 4/3/14Inmate Signature & Date Received Deverick Scott 4/3/14This form was received on 4/3/14 (date) pursuant to Step Two. Is it an Emergency? no (Yes or No).Staff Who Received Step Two Grievance: AnnDate: 4/3/14

Action Taken: \_\_\_\_\_

(Forwarded to Grievance Officer/Warden/Other) Date: \_\_\_\_\_

If forwarded, provide name of person receiving this form: \_\_\_\_\_

Date: \_\_\_\_\_

DISTRIBUTION: YELLOW &amp; PINK - Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back to Inmate After Completion of Step One and Step Two.



IGTT410  
3GSmax 04/004  
Attachment IIIINMATE NAME: Scott, Deverick D.ADC #: 131042BGRIEVANCE #: VSM14-01293

(83)

## WARDEN/CENTER SUPERVISOR'S DECISION

In response to your grievance: Inmate Scott, you state, "The conduct of Lt Bphen to take our yard call on Friday 3/21/14, Sunday 3/23/14 and on Weds and Thursday I asked him what up with our yard call he said he running classification. This conduct violates our 1st 14th Amendment rights. The federal law is mandate that inmates on 23 hr 1 a day is mandatory to get 5 hour a week yard call. He refuse to make up my yard call. But every since they took our yard call on Wed Thursday and run Friday Sat. Sun. The shift been taking our yard call and not making it up. I will asked to be compiscate \$125.04 each day my yard call was taken. I tried to work with him and told him just get me extra tray at lunch. He refuse that to compiscate for the suffering I endure to my first amendment rights of USC."

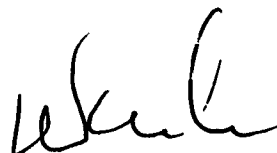
Effective March 2, 2014 yard call is to be conducted on the following days: Sunday, Monday, Tuesday, Friday, and Saturday. Records show that yard call for Isolation 4 was not ran on 03/21/2014. Staff advises this was due to a shortage of staff. Staff also states that the next day, Isolation 4 was afforded yard call first. Staff advises that you did not go to yard call. If any corrective action involving staff is warranted, inmates will not be apprised.

If you did indeed request staff to provide you an extra lunch tray due to not receiving yard call then you should have received a disciplinary for your actions. There is no record that you did. Also be advised per AD: 14-16 Remedies available do not include disciplinary action against employees, contractors, or volunteers, nor monetary damages.

Therefore, I find this issue resolved.



Signature of Warden/Supervisor or Designee



Title

5-12-14

Date

**INMATE'S APPEAL**

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

Inmate Signature

ADC#

Date

84

**ARKANSAS DEPARTMENT OF CORRECTION  
VARNER UNIT  
INTER-OFFICE COMMUNICATION**

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TO: Inmate Scott, Deverick ADC #131042 Max 1/0014

FROM: Sharon L. Cantrell, Program Specialist - Grievance

RE: Rejected Grievances with Appeals

DATE: October 10, 2013

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There is no reason to forward to the Grievance Office your rejected grievances with your appeal responses from Chief Deputy Director May. If you are not understanding the issues of grievances being untimely then refer to the below synopsis of the allowable Grievance timeline/dates as stated in AD: 12-16.

PER AD: 12-16 Inmate Grievance Procedure -

- Grievance Dates
- 15 DAYS – inmate has 15 days to write Informal Step One (1) about issue/incident
- 3 DAYS – Problem Solver has 3 working days to resolve or meet with inmate about issue
- 24 HOURS – IF emergency immediately but no later than 24 hours.
- 3 DAYS – Problem Solver returns Step 1 immediately or within 3 days inmate has 3 days to proceed to Step 2
- 3 DAYS – Problem Solver fails to return Step 1 within 3 days can go to Step 2 with pink/yellow copy
- 6 DAYS – Step 2 must be filed within 6 days from submission of Step 1
- 5 DAYS – Grievance Officer has 5 days to send acknowledgement or rejection after receipt of Step 2

Also if you disagree with Chief Deputy Director May's decision, then you have exhausted your remedies in regard to your grievance(s).

7/28/14

Cc: File  
D. Smith

**COPY**

on him and nurse Gray violating negotiation policy that want made  
him write ~~me~~ up. This officer wasn't no where near my cell  
from 9:00 am - 11:00 am on this day.